

18 SEPTEMBER 1947

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I N D E X
Of
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2232	3186		Affidavit of FUHA, Hiroshi		28722
2054	3187		Affidavit of SANADA, Joichiro		28734
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2499	3191		Excerpt from Prosecution Exhibit No. 734-A - The Special Secret Report from Turkey No. 5, dated 15 November 1929: Situation in the Caucasus and its Strategic use for the purpose of Sabotage Activities - Sender: HASHIMOTO, Kingoro, Artillery Major to: The Assistant-chief of the Army General Staff OKAMOTO, Renichiro		23765
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1 Thursday, 18 September 1947

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, all Members sitting, with
14 the exception of: HONORABLE JUSTICE R. B. PAL, Member
15 from India and HONORABLE JUSTICE I. M. ZARYANOV, Member
16 from the U. S. S. R., not sitting from 0930 to 1600;
17 HONORABLE JUSTICE E. H. NORTHCROFT, Member from the
18 Dominion of New Zealand, not sitting from 1330 to 1600.

19 For the Prosecution Section, same as before.

20 For the Defense Section, same as before.

21 - - -

22 (English to Japanese and Japanese
23 to English interpretation was made by the
24 Language Section, IMTFE.)
25

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Colonel Ivanov.

4 - - -

5 T A K U S H I R O H A T T O R I, called as a
6 witness on behalf of the defense, resumed the
7 stand and testified through Japanese inter-
8 preters as follows:

9 CROSS-EXAMINATION

10 BY COLONEL IVANOV (Continued):

11 Q Mr. Witness, did the machine gun units,
12 mortar units and some other such units of the 5th
13 army dispatched to the Nomonhan area, as you say on
14 page 2, paragraph 2 of the English text of your
15 affidavit, take part in the operations?

16 A They did.

17 Q Did the commander of the Kwantung Army give
18 orders concerning the dispatch of troops to the Nomon-
19 han area to General DOHIHARA or directly to the com-
20 manders of the dispatched units?

21 A The orders were issued to General DOHIHARA.

22 Q Will you clarify, Mr. Witness, whether the
23 5th army was stationed in the border area of East
24 Manchuria for the purpose of operations against
25 Soviet Maritime Province?

1 A The 5th army was in charge of the defense
2 of Manchuria's eastern borders for the defense of
3 Manchuria.

4 Q Did the Kwantung Army staff inform Commanding
5 General of the 5th Army DOHIHARA of the tasks of this
6 army as set forth in the operation plan of a war
7 against the USSR for 1939?

8 A May I have the question repeated, please?

9 (Whereupon, the last question was
10 read by the Japanese court reporter.)

11 A As far as operational plans were concerned,
12 I believe that a draft was shown by the commander
13 of the Kwantung Army.

14 Q But General DOHIHARA knew of the battle task
15 set to his army in case of war against the Soviet
16 Union, didn't he?

17 A General DOHIHARA knew of the operational
18 plans in the contingency of a war -- in the event a
19 war occurred -- so far as those plans concerned the
20 5th army.

21 Q Did you as a staff officer of the Kwantung
22 Army know of the contents of the operation plan of a
23 war against the USSR in 1939 and of the tasks allotted
24 in this plan to the 5th army?

25 A Yes, I did know.

1 Q Did not the operation plan of a war against
2 the USSR for 1939 provide for the operations aimed at
3 the seizure of the Soviet Maritime Province and was
4 not the 5th army to take part in these operations?

5 MR. WARREN: If the Tribunal please, we
6 would like to object to this line of questioning. It
7 appears to be just outside the scope of the direct
8 examination. We were referring only to the Nomonhan
9 Incident, and then it is also dealing in facts that
10 did not occur or things that did not happen.

11 COLONEL IVANOV: Your Honor, in my reply I
12 would like to answer the objections given by defense
13 counsel. In his affidavit the witness contended on
14 two occasions that the primary function of the 5th
15 army under DOHIHARA's command was defense. This may
16 be seen on page 1 of the affidavit and in the second
17 paragraph of the second page of the affidavit; but
18 this contention of the witness contradicts prosecution
19 exhibits 834, 703 and 705 which elucidate the contents
20 of the offensive operation plan against the USSR of
21 1939 and 1940.

22 THE PRESIDENT: Objection overruled.

23 Q Will you answer my question?

24 A Among the duties of the commanders of the
25 various armies under the control of the Kwantung Army,

1 the following distinction can be made: those in
2 time of peace and those in time of war.

3 Q We are interested in the duties of the
4 commander of the 5th army in case of war against
5 the Soviet Union. He was preparing for the discharge
6 of these duties in peacetime.

7 A The wartime duties of a commander are not
8 given to him until after the actual outbreak of war.

9 Q Mr. Witness, you haven't answered my question.
10 Please say yes or no.

11 MR. WARREN: I object to requiring a witness
12 to say yes or no, your Honor.

13 THE PRESIDENT: I direct him to say yes or
14 no and add any explanation that is necessary.

15 Q I repeat my question. Wasn't it the task of
16 the 5th army to seize Soviet Maritime Province in
17 accordance with the plan of war of 1939?

18 RUSSIAN MONITOR: Correction, please: To
19 take part in the operations provided for by the plan
20 of 1939 for the seizure of the Soviet Maritime Province?

21 A No, that is not so. The primary duty of the
22 5th army was defense -- always defense. Therefore,
23 the first concern of the 5th army and the first action
24 of the 5th army would be defense; but, of course, in
25 considering the question of defense there is always

1 the possibility of taking an offensive defense.

2 Q But the offensive operation directed at the
3 seizure of the Soviet Maritime Province was contem-
4 plated in that plan?

5 A The offensive action itself stemmed from
6 the thought of an offensive defense.

7 Q Mr. Witness, weren't you yourself engaged
8 in working out plans of war against the USSR when you
9 were a staff officer of the Kwantung Army and when you
10 worked in the Japanese Army General Staff?

11 A I was not in charge of war plans; however,
12 I did have to do with strategic or operational plans.

13 COLONEL IVANOV: I invite the attention of the
14 Tribunal to prosecution exhibits 834, 838, 703 and 705
15 in which is given the contents of offensive plans of
16 war against the Soviet Union in 1939-1940.

17 THE PRESIDENT: Colonel Warren.

18 MR. WARREN: We have no further questions.
19 May the witness step down, your Honor?

20 THE PRESIDENT: He is released on the usual
21 terms.

22 (Whereupon, the witness was excused.)

23 MR. WARREN: May we call as our next witness
24 FUHA, Hiroshi.
25

- - -

1 H I R O S H I F U H A, called as a witness on
2 behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as follows:

4 DIRECT EXAMINATION

5 MR. WARREN: May the witness be handed
6 defense document 2232?

7 (Whereupon, a document was handed to
8 the witness.)

9 BY MR. WARREN:

10 Q Will you state your name and present address
11 to the Tribunal, please?

12 A My name is FUHA, Hiroshi. My address is
13 1438 2-chome, Setagaya, Setagaya-ku, Tokyo.

14 Q Mr. FUHA, will you look at the document in
15 your hand and tell the Court whether it is your affi-
16 davit and whether the contents thereof are true?

17 A This is my affidavit and it is true and
18 correct.

19 MR. WARREN: At this time we offer in
20 evidence defense document 2232.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Defense document 2232
23 will receive exhibit No. 3186.

24 (Whereupon, the document above re-
25 ferred to was marked defense exhibit 3186 and

received in evidence.)

1 MR. WARREN (reading): "My name is FUHA,
2 Hiroshi. During the recent war I held many positions
3 as Staff Officer of various armies. I was appointed
4 Staff Officer of the 15th Army on January 19, 1943,
5 Staff Officer of the Burma Area Army on March 18, 1943,
6 Staff Officer of the 7th Area Army on July 14, 1944,
7 Staff Officer of the 1st General Army on April 6, 1945,
8 and Staff Officer of the 12th Area Army on June 15,
9 1945.
10

11 "I have been asked what I know concerning the
12 organization, command responsibility and command chan-
13 nels, especially of the 7th Area Army, with which army
14 I served as Staff Officer from July, 1944 until April
15 1945. The 7th Area Army was organized April 15, 1944,
16 under the Southern General Army, and its first Com-
17 mander-in-Chief was the accused DOHIHARA, Kenji, who
18 held this post from April 1944 until April 1945, when
19 the command was taken over by General ITAGAKI, who
20 held the post from April 1945 until August 1945. The
21 command jurisdiction of the 7th Area Army was Malaya,
22 Sumatra, Java and British Borneo. Borneo was divided
23 into a British area and a Dutch area. In the beginning
24 the army was charged with the preservation of peace in
25 the British area and the Navy was charged with that in

1 the Dutch area. Consequently the Army had no juris-
2 diction whatsoever over the Dutch area.

3 "The Borneo garrison, a component of the 7th
4 Army, was the unit directly responsible. However,
5 repeated attacks in New Guinea by allied forces gave
6 cause for increasing alarm and, in fact, they recon-
7 quered most parts of New Guinea. The need for general
8 reorganization became of immediate urgency and the
9 Borneo garrison was, in August, 1944 reorganized into
10 the 37th Army and at the same time was withdrawn from
11 the command of the 7th Area Army and placed under the
12 direct command of the Southern Army. Consequently,
13 the commander of the 7th Area Army had no further
14 responsibility and no direct command whatsoever over
15 its operations and actions. This move resulted, of
16 course, in the removal of all things relating to
17 British Borneo from the command of the 7th Area Army
18 as of August 1944.

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1 "Moreover, at no time was any prisoner of
2 war camp located within the territorial jurisdiction
3 of the 7th Area Army ever under its control. They
4 were always under the direct control of the Southern
5 Army, which was a superior command to that of the
6 7th Area Army. The Commander-in-Chief of the Southern
7 Army, Marshal TERAUCHI, controlled the administration
8 of these camps and placed the responsibility for each
9 camp directly upon the camp commander. Consequently,
10 in areas such as the territorial jurisdiction covered
11 by the 7th Area Army, the intermediate commanders had
12 no responsibility whatsoever in respect to the adminis-
13 tration of prisoners of war, and were not authorized
14 to, and could not issue any order concerning them.
15 Their only responsibility was a functional responsibil-
16 ity and not one of administration. Their duty was
17 limited strictly to security; to guard the camps of
18 prisoners of war, or take measures where necessary to
19 safeguard them from enemy attack. They had no voice
20 whatsoever in the administration of the camps or in
21 the treatment of the prisoners of war. Perhaps I have
22 not made myself clear in referring to intermediate
23 commanders. In this particular instance I am speaking
24 with reference to security channels only and have no
25 reference whatsoever to command channels. In the

1 chain of security command there is first the commander-
2 in-Chief of the Southern Army, the commander of the
3 area army, and the commander of a subordinate army
4 or garrison. The intermediate commander to whom I
5 have reference would be the commander of the army and
6 not the commander of the area army. In order to
7 clarify this affidavit, I have prepared a chart
8 showing command channels and security channels only.
9 This chart, which I incorporate as a part of my affi-
10 davit, clearly depicts the two channels to which I have
11 made reference. The situation then boils down to this
12 proposition. Full responsibility for the administra-
13 tion and treatment of prisoners of war was under the
14 direct command of the Commander-in-Chief of the Southern
15 Army. Security of prisoner of war camps was the direct
16 responsibility of the army or garrison commander, as
17 the case might be. The area army commander had no
18 responsibility or authority whatsoever. The Commander-
19 in-Chief of the Southern Army, in addition to reserving
20 to himself the direct administration thereof and the
21 treatment of the prisoners of war, also reserved to
22 his command ship transportation and naval units and
23 army aerial units, including airfield service. These
24 units and services, in addition to that of the prisoner
25 of war camps, even if located within the territorial

1 jurisdiction covered by an area army, were not in any
2 manner subject to any command function of any kind
3 exercised by the commander of the area army."

4 You may cross-examine.

5 THE PRESIDENT: Colonel Mornane.

6 CROSS-EXAMINATION

7 BY COLONEL MORNANE:

8 Q Witness, what was your rank when you were
9 staff officer of the 7th Area Army?

10 A Lieutenant Colonel.

11 Q Where were the headquarters of the 7th Area
12 Army?

13 A At Singapore.

14 Q Now, do you remember, on the 23d of October,
15 1944, as a result of an agreement between the army
16 and navy authorities, that the command of the
17 Andaman and Nicobar Islands went over from the navy
18 to the 29th Army?

19 A I do remember.

20 Q And the 29th Army was under the 7th District
21 Army?

22 A Yes.

23 Q Now, at the same time, by a similar agreement,
24 the army became responsible for the whole of Borneo?

25 A No, that did not happen.

1 Q While you were a staff officer of the 7th
2 Area Army, did not the army authorities take over from
3 the navy the defense of the whole of Borneo and the
4 Celebes?

5 A In August, 1944, the defense of Borneo came
6 under the direct jurisdiction of the Southern Army.
7 I know nothing of what happened after that.

8 Q I suggest to you that the 37th Army was not
9 formed until the 12th of October.

10 A According to my recollection, the 37th Army
11 was formed in August, 1944, and immediately came under
12 the direct jurisdiction of the Southern Army.

13 Q Now, in regard to the formation of the 7th
14 Area Army, I suggest to you that that was formed on
15 the 27th of March, and not the 15th of April, 1944;
16 is that correct?

17 A I still believe what I said in my affidavit
18 to be true.

19 Q That district army was formed before you
20 became a member of its staff?

21 A Yes.

22 Q And you are now relying on records you have
23 since seen as to the formation of that army?

24 A Yes.

25 Q Have you seen any of those records within the

1 last three months?

2 A Yes.

3 Q Where did you see them?

4 A I saw them at the headquarters of the 7th
5 Area Army in Singapore.

6 Q I ask you, have you seen any of those records
7 within the last three months?

8 A No, I have not.

9 Q And if the Central Liaison Office say that
10 army was formed on the 27th of March, you would not
11 be in a position to deny that, would you?

12 A No, I cannot.

13 THE PRESIDENT: Colonel Mornane, is there
14 any need to do more than to refer to your exhibits
15 in this?

16 COLONEL MORNANE: With regard to this, sir, we
17 have no exhibits. I am merely laying the foundation
18 for evidence in rebuttal.

19 THE PRESIDENT: The Central Liaison Office
20 documents are still to be tendered?

21 COLONEL MORNANE: That is so, sir.

22 Q Now, what are the normal functions of an
23 area army in relation to one of the armies under its
24 command?

25 THE PRESIDENT: But you are speaking about

1 prisoners of war only, are you?

2 COLONEL MORNANE: No, sir; with regard to
3 supplies, hospitalization, operational policy.

4 Q Will you answer the question, please?

5 A The area army commander has the power to give
6 orders in relation to education, personnel, operations,
7 supplies, and other matters, to the armies under his
8 control.

9 Q And the area army does not carry any troops
10 apart from headquarter troops?

11 A Yes, it has no troops other than that.

12 Q And then the area army commander would be
13 directly responsible to the general army commander?

14 A Yes.

15 THE PRESIDENT: You still have the treatment
16 of captives in mind, I suppose, Colonel? Otherwise,
17 I cannot follow what you are driving at.

18 COLONEL MORNANE: That is so, sir.

19 What we say, sir, is this, that this is a
20 most unusual setup that the witness has been describing.
21 It is quite opposed to the ordinary setup.

22 THE PRESIDENT: That is sufficient.

23 Q Now, Witness, could you tell the Tribunal of
24 any other case where the commander of the area army
25 did not have responsibility for all military

installations in the armies under his command?

1 MR. WARREN: If the Tribunal please, I should
2 like to object to that question, because in the last
3 paragraph of the affidavit the witness has answered
4 the question, in which he states definitely that
5 all area armies, that is, an area army; he refers
6 broadly to other armies--

7 COLONEL MORNANE: I want the name.

8 MR. WARREN: Oh, you want the name? I am
9 sorry.
10

11 THE PRESIDENT: You had not completed your
12 question?

13 COLONEL MORNANE: I will re-ask the question,
14 if the Tribunal pleases.
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installations in the armies under his command?

1 MR. WARREN: If the Tribunal please, I should
2 like to object to that question, because in the last
3 paragraph of the affidavit the witness has answered
4 the question, in which he states definitely that
5 all area armies, that is, an area army; he refers
6 broadly to other armies--

7 COLONEL MORNANE: I want the name.

8 MR. WARREN: Oh, you want the name? I am
9 sorry.

10 THE PRESIDENT: You had not completed your
11 question?

12 COLONEL MORNANE: I will re-ask the question,
13 if the Tribunal pleases.

1 Q Can you tell the Tribunal of any other cases
2 where the commander of an army is directly responsible
3 to the commander of the general army and not to the
4 commander of the area army?

5 MR. WARREN: Your Honor, I would like to
6 object to that for the reason that the question is
7 obviously based upon a set of circumstances not
8 testified to here and which the witness did not
9 testify to.

10 THE PRESIDENT: That limitation has never
11 been intelligible to me and never will be.

12 The objection is overruled.

13 A I shall reply. The prisoner of war camps
14 had a special chain of command, and I know of no
15 other case which approximates the example of these
16 prisoner of war camps.

17 Q Now, you were a staff officer in the Burma
18 Area Army. I suggest to you that the prisoner of war
19 camp at Rangoon came directly under the command of
20 the Burma Area Army Commander. Is that not so?

21 A I believe that as far as administrative
22 functions were concerned it was not under the direct
23 command of the Burma Area Army, and that the case of
24 the Burma Area Army was just the same as that of the
25 7th Area Army and other armies.

1 COLONEL MORNANE: I would refer the Tribunal
2 on that point to the exhibit put in with respect to
3 TAZUMI, Commander of the Rangoon Camp, at page
4 27,565 of the record.

5 Q Now, Witness, I will read to you Article 3
6 of the Ordinance of Prisoner of War Camps of 23
7 December 1941:

8 "Prisoner of war camps shall be administered
9 by a commander of an army or a commander of a garrison
10 under the general supervision of the Minister of War."

11 Can you reconcile the practice adopted by
12 the Southern Army Commander with regard to prisoners
13 of war with that article?

14 A This provision applied to prisoner of war
15 camps in the Japanese homeland, and when prisoner of
16 war camps overseas are considered I believe it should
17 be interpreted that the Commander of the Southern Army
18 was the army commander referred to in Article 3.

19 THE PRESIDENT: Colonel Warren.

20 MR. WARREN: If the Tribunal please, our
21 next witness --

22 THE PRESIDENT: This witness is released
23 on the usual terms.
24
25

1 COLONEL MORNANE: I would refer the Tribunal
2 on that point to the exhibit put in with respect to
3 TAZUMI, Commander of the Rangoon Camp, at page
4 27,565 of the record.

5 Q Now, Witness, I will read to you Article 3
6 of the Ordinance of Prisoner of War Camps of 23
7 December 1941:

8 "Prisoner of war camps shall be administered
9 by a commander of an army or a commander of a garrison
10 under the general supervision of the Minister of War."

11 Can you reconcile the practice adopted by
12 the Southern Army Commander with regard to prisoners
13 of war with that article?

14 A This provision applied to prisoner of war
15 camps in the Japanese homeland, and when prisoner of
16 war camps overseas are considered I believe it should
17 be interpreted that the Commander of the Southern Army
18 was the army commander referred to in Article 3.

19 THE PRESIDENT: Colonel Warren.

20 MR. WARREN: If the Tribunal please, our
21 next witness --

22 THE PRESIDENT: This witness is released
23 on the usual terms.
24
25

1 MR. WARREN: Oh, pardon me. I am sorry, sir.

2 (Whereupon, the witness was excused.)

3 MR. WARREN: We had intended to use, as
4 appears on our order or proof, the witness SANADA
5 as our next witness. However, this witness was a
6 victim of the atom bomb and is periodically sick as
7 a result of it; and he lives in Hokkaido and started
8 on his way here according to information we have re-
9 ceived.

10 THE PRESIDENT: If necessary, we will take
11 him out of turn.

12 MR. WARREN: What I was going to suggest --
13 I took the matter up with Mr. Tavenner, and he stated
14 they would waive cross-examination, and if the Tribunal
15 will permit me to read his affidavit at this time we
16 can dispose of the matter.

17 THE PRESIDENT: You have our permission.

18 MR. WARREN: At this time we should like to
19 offer in evidence defense document No. 2054.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document 2054
22 will receive exhibit No. 3187.

23 (Whereupon, the document above
24 referred to was marked defense exhibit
25 No. 3187 and received in evidence.)

1 MR. WARREN (Reading): "My name is SANADA,
2 Joichiro, and I served as Chief of the Military
3 Section of the Military Affairs Bureau of the War
4 Ministry from February 5, 1941 (16th year of Showa)
5 to April 20, 1942 (17th year of Showa) and that
6 during my tenure of office I became thoroughly
7 familiar with the Supreme War Council, its functions
8 and operations, and desire to make the following
9 statement concerning the same.

10 "The Supreme War Council was an advisory
11 body to the Emperor on important military affairs,
12 but did not have the authority to independently ad-
13 vise the Emperor on such matters. In other words, it
14 only advised or gave its opinion to the Emperor upon
15 his request. Accordingly, when there was no draft of
16 a subject for a consultation presented by the Emperor,
17 there could be no official Supreme War Conference.

18 "The meeting of the Supreme War Council
19 referred to in Appendix E of the Indictment as having
20 been held on June 30, 1941, and which was attended by
21 the accused DOHIMARA was not an official conference
22 of that body because there was no draft of a subject
23 by the Emperor; consequently there was no matter for
24 consultation whatever and the members of the Supreme
25 War Council were not called upon to make any sort of

1 decision.

2 "I have personal knowledge of what occurred
3 at this meeting because the then Director of the
4 Military Affairs Bureau, MUTO, Akira, was ill and I,
5 as Chief of the Military Section, attended the meet-
6 ing in his behalf.

7 "The meeting was called to order at 1:30
8 p. m. War Minister TOJO made an opening address and
9 was followed by General SUGIYAMA, Chief of the General
10 Staff, who spoke on the conditions and prospects of
11 the war in Europe during the period of a week since
12 the outbreak of hostilities between Germany and
13 Soviet Russia, which had started June 22, 1941.

14 (Details were furnished by OKAMOTO, Seifuku, Chief of
15 the Second Section). The meeting ended at 2:30 p. m.

16 "As stated above, in the meeting of that day
17 there was only the explanation of the international
18 situation created by the outbreak of war between
19 Germany and Russia, and there was no statement of
20 opinion whatever by the war councilors. There was
21 no discussion at all concerning the Greater East Asia
22 war; that is, the outbreak of a possible war between
23 Japan and America.

24 "The names of the councilors and associates
25 who attended the meeting are as follows:" -- and I

1 will omit reading those names.

2 At this time may we have the witness

3 KAWABE.

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1 T O R A S H I R O K A W A B E, recalled as a witness
2 on behalf of the defense, having previously been
3 sworn, testified through Japanese interpreters
4 as follows:

5 THE PRESIDENT: You are still on your former
6 oath.

7 DIRECT EXAMINATION

8 BY MR. WARREN:

9 Q Will you state your name and present address
10 to the Tribunal, please?

11 May the witness be handed defense document
12 No. 2052?

13 (Whereupon, a document was handed
14 to the witness.)

15 THE MONITOR: Before that, the witness
16 replied, "My name is," and he was interrupted.

17 MR. WARREN: I am sorry.

18 A (Continuing) My name is KAWABE Torashiro;
19 my present address is Jindai Village, Kitayama-gun,
20 Tokyo-to.

21 Q Will you examine the document which you now
22 hold and state to the Tribunal if that is your affid-
23 davit and if the contents therein are true?

24 A This is my affidavit. However, there is a
25 correction I wish to make.

1 Q Will you point the correction out, please?

2 A The correction is towards the end of the
3 document. As the document I have is not numbered,
4 I cannot give the page number.

5 Q Read your correction.

6 A On page 5 of the English test, "The reason I
7 dare say this is that finally, and just before the out-
8 break of the war, when I asked General DOHIHARA a few
9 questions concerning what appeared to me to be a
10 strained and gloomy prospect, he did not have the
11 slightest idea whatsoever as to the import of my
12 questioning, and instead asked me what it was all about.
13 There is no correction in the English text.

14 THE MONITOR: There was no correction in the
15 English text. He was correcting the Japanese text.

16 THE PRESIDENT: Well, I do not know how he
17 can correct one without correcting the other. Any-
18 thing is possible. After all, the English is a trans-
19 lation, not an independent document, so we understand.

20 MR. WARREN: Our documents, your Honor, for
21 the most part were translated into English, revised
22 into presentable English, and then retranslated back
23 into Japanese, and probably there is an error between
24 his original Japanese and this final translation.

25 THE PRESIDENT: Well, we have heard enough

1 for the time being.

2 BY MR. WARREN (Continued):

3 Q With the correction that you have made, is
4 the document true and correct as to contents?

5 A There is one other correction. Again there
6 is no correction in the English text. It seems that
7 in the Japanese text the words "he" and "me" were
8 reversed.

9 MR. WARREN: Your Honor, I have gone over
10 this repeatedly with these witnesses, and they have
11 been told that there might be a difference of a word
12 or two in the Japanese text which would not make any
13 difference. Apparently, that is what he is talking
14 about, I don't know.

15 Q Are there any more corrections?

16 A That is all. The remaining portions of the
17 affidavit are true and correct.

18 MR. WARREN: I now offer in evidence defense
19 document No. 2052, except the following extracts which
20 I will describe and which, by agreement with the prose-
21 cution, we will not offer.

22 On page 1, in the middle of the second para-
23 graph of the English copy, commencing with the words,
24 "I observed that he administered," continuing through
25 the balance of that page and through the entire

1 paragraph which ends about a third of the way down on
2 page 2 and ends with the words, "force by arms against
3 China."

4 On page 4 of the document, the second para-
5 graph, commencing at the beginning of the paragraph
6 with the words, "From my observations," we will
7 delete the following two sentences which end in, "in
8 civilian politics."

9 THE PRESIDENT: Admitted on the usual terms,
10 subject to those deletions.

11 CLERK OF THE COURT: Defense document 2052
12 will receive exhibit No. 3188.

13 (Whereupon, the document above
14 referred to was marked defense exhibit
15 No. 3188 and received in evidence.)

16 MR. WARREN (Reading): "I first became
17 acquainted with the accused DOHIHARA Kenji in 1934,
18 at which time he was Chief of the Special Service
19 Organ in Mukden, Manchuria. At that time I held the
20 post of Staff Officer of the Kwantung Army. I held
21 this post from August, 1934, until March, 1936. Dur-
22 ing this period my work often brought me in contact
23 with General DOHIHARA and I became familiar with the
24 methods he used in the administration of his official
25 affairs and also became intimately acquainted with him

1 from a personal standpoint and learned his view-
2 points with reference to the relationship of Japan
3 and China.

4 "When General DOHIHARA was Inspector General
5 of the Army Air Force, I served under him as Chief
6 of the General Affairs Section of the Army Air Force.
7 He was my immediate superior officer. During this
8 period of time I became familiar with the duties and
9 responsibilities of the Inspector General of the Army
10 Air Force and desire to make the following obser-
11 vations with reference thereto:

1 "The Inspector General of the Army Air Force
2 was under the direct command of the Emperor and was
3 subordinate only to the Minister of War, insofar as
4 his duties were concerned. The Inspector General of the
5 Army Air Force was in charge of the technical education,
6 which was his primary duty, and although the Chief of
7 the Army Air Command Headquarters was subordinate to
8 the Minister of War with reference to maintenance,
9 supply, etc., neither of them had authority to partic-
10 ipate or to advise in operational matters, and were
11 precluded from participating in the preparation or
12 planning of any operational mission with reference to
13 armed forces in the field or in war. I have mentioned
14 the Inspector General of the Army Air Force and the Chief
15 of the Army Air Force Command Headquarters, which were
16 two distinct posts. In order to clearly show General
17 DOHIHARA's position, I feel it best to explain the
18 command relationship between these two posts, both of
19 which General DOHIHARA held simultaneously.
20

21 "As Inspector General of the Army Air Force,
22 which was concerned only with technical educational
23 matters and had nothing to do with planning and operation-
24 al matters, General DOHIHARA was under the direct command
25 of the Emperor. As Chief of the Army Air Command
Headquarters, the chain of command went from the Emperor

1 through the War Ministry, then to General DOHIHARA
2 as Chief of the Army Air Command Headquarters. In
3 this position he did have some duties with reference
4 to Air Corps supply, but did not participate in
5 planning and operational matters.

6 "At the time General DOHIHARA was Inspector
7 General of Military Education, I did not serve under
8 him, but because of the close connection which I
9 formerly had with that office, I am fully acquainted with
10 its operations and responsibilities. The Inspector
11 General of Military Education was responsible for the
12 administration of the various technical schools and
13 Army Service Schools generally, and the educational
14 matter of the Army, with the exception of technical
15 matters pertaining to aviation. However, he had no
16 authority, and as a matter of practice did not take
17 part in any planning or operational matter, and had
18 absolutely no voice in any decision with reference to
19 planning and operation of the Army in the field.

20 "Because of my many experiences in the Army,
21 I am fully acquainted with the Supreme War Council, of
22 which General DOHIHARA was at one time a member. The
23 Supreme War Council is more of an honorary position than
24 an actual integral part of the Army Command, and was
25 simply a military inquiry organ, whose duty was to

1 respond to the Emperor's questions on important
2 military problems. It had little or no practical
3 authority and was, in fact, an organ which received
4 reports on general affairs and the current military
5 situation from various Army leaders in the central or
6 main commands.

7 "..."I know of occasions where he was required
8 to deal with various civilian aircraft industry problems,
9 involving political significance."

10 THE PRESIDENT: That sentence begins "While
11 he was Chief of the Air Command"..."

12 MR. WARREN: Yes, I am sorry.

13 "While he was Chief of the Air Command Head-
14 quarters, I know of occasions where he was required to
15 deal with various civilian aircraft industry problems,
16 involving political significance. When these matters
17 came up, he merely clarified the position of the Army,
18 its objects and expectations and left all concrete
19 measures entirely in the hands of the industrialists and
20 refused to engage in politics with them. I have never
21 known him to offer them a hand for the sake of political
22 artifice. On the contrary, he remained aloof almost
23 in the extreme.

24 "I have been asked if I knew anything of
25 General DOHIHARA's views on the Pacific war. With

1 respect to this I wish to state that General DOHIHARA
2 assumed his post as Inspector General of the Army Air
3 Forces and Chief of the Army Air Command Headquarters
4 six months prior to the outbreak of the Pacific war,
5 at which time, as previously stated, I was appointed
6 his Assistant as head of the General Affairs Section.
7 General DOHIHARA discussed the problems with me on
8 many occasions and from these discussions I know he
9 had scarcely any knowledge up to the outbreak of the
10 war of the various essential problems of political and
11 military significance in our country. The reason I dare
12 say this is that finally, and just before the outbreak
13 of the war, when I asked General DOHIHARA a few
14 questions concerning what appeared to me to be a strained
15 and gloomy prospect, he did not have the slightest idea
16 whatsoever as to the import of my questioning, and
17 instead asked me what it was all about. After discussing
18 the problems, he ordered me to get information from
19 the War Ministry and the General Staff Headquarters so
20 that he would have the knowledge which we deemed necessary
21 to the discharge of his duties.

22 "I have also been asked about the decoration
23 which General DOHIHARA received from Germany. This
24 was received by General DOHIHARA during the time he
25 was Inspector General of the Army Air Force, and as his

1 subordinate I was present at the time he received it.
2 As I recall, he was decorated with the Grand Cross
3 by the German Government. I knew personally that
4 General DOHIHARA had never undertaken any political
5 action, or, for that matter, any action of any kind
6 to strengthen or enlarge the triple alliance between
7 Japan, Germany and Italy, and we were surprised that he
8 received the medal. The only reason that we could
9 attribute at that time for him having received the medal
10 was due to the fact that he was the head of the Depart-
11 ment. I distinctly remember that the General himself
12 uttered words of surprise upon receiving the decoration."

13 THE PRESIDENT: Will there be any cross-
14 examination? You can let the witness go now if there
15 will not be, otherwise we will recess until 11 o'clock.

16 Do you intend to cross-examine, Judge Nyi?

17 JUDGE NYI: The prosecution does not desire to
18 cross-examine this witness, but we do want to make
19 certain references.

20 THE PRESIDENT: The witness is discharged on
21 the usual terms.

22 (Whereupon, the witness was excused.)

23 - - -

24 THE PRESIDENT: We will recess for fifteen
25 minutes.

1 (Whercupon, at 1045, a recess was
2 taken until 1100, after which the proceed-
3 ings were resumed as follows:)

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1 THE PRESIDENT: Judge Nyi.

2 JUDGE NYI: May it please the Tribunal, the
3 prosecution desires to make certain references to part
4 of the record with regard to the position of Supreme
5 War Councilor and the reason for DOHIHARA's receiving
6 the decorations from the German Government.

7 THE PRESIDENT: Just mention the exhibits
8 and the page of the transcript if you have it, Judge.

9 JUDGE NYI: Yes. We invite the Tribunal's
10 attention to exhibit 2246 on page 16,179 and exhibit
11 1272 on pages 11,352 to 53; exhibit 2247 on page
12 16,180. That is all.

13 THE PRESIDENT: Colonel Warren.

14 MR. WARREN: At this time, if the Tribunal
15 please, we should like to have the witness TATSUMI,
16 Eiichi.
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1 E I I C H I T A T S U M I, called as a witness on
2 behalf of the defense, being first duly sworn,
3 testified through Japanese interpreters as follows:

4 DIRECT EXAMINATION

5 BY MR. WARREN:

6 Q Will you state your name and present address
7 to the Tribunal, please?

8 A My name is TATSUMI, Eiichi. My address is
9 Inasa, Taisha-machi, Hikawa-Gun, Shimane-ken.

10 MR. WARREN: May the witness be handed de-
11 fense document 2489?

12 Q Will you look at that document and tell the
13 Court whether or not it is your affidavit, and whether
14 or not the contents are true?

15 A They are true and correct.

16 MR. WARREN: At this time we offer in evidence
17 defense document No. 2489.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Defense document 2489
20 will receive exhibit No. 3189.

21 (Whereupon, the document above
22 referred to was marked defense exhibit No.
23 3189 and received in evidence.)

24 MR. WARREN (Reading): "I have been asked if
25 I know anything about General DOHIHARA's attitude

1 towards prisoners of war during the time he was Com-
2 manding General of the Eastern Area Army of Japan,
3 which position he held from May, 1943 until March,
4 1944. I have also been asked if I know anything con-
5 cerning the control of prisoners of war in the Tokyo
6 area during that period of time. I served as Chief of
7 Staff to General DOHIHARA for the entire period of
8 time that he was in command of the Eastern Area Army
9 and consequently am familiar with his policies and
10 with the system for the control of prisoners of war in
11 the Tokyo area."

12 THE PRESIDENT: What was the witness' army
13 rank?

14 BY MR. WARREN (Continued):

15 Q Mr. TATSUMI, what was your army rank at the
16 time you went out of the army?

17 A At the time of the conclusion of the war I
18 was a lieutenant-general.

19 Q What is your present position?

20 A I am no profession at present.

21 MR. WARREN (Reading): "The main function of
22 the Eastern Area Army was the defense of Tokyo and
23 adjacent territory, which was by far the most important
24 place of defense of Japan proper. As Commanding
25 General of the Eastern Area Army General DOHIHARA had

1 under his direct command several divisions, air de-
2 fense units, hospitals and other special units. In
3 short, there were literally hundreds of separate units
4 under his command.

5 "With reference to the handling of prisoner
6 of war detachments throughout the main islands of
7 Japan and occupied territories, there was a special
8 arrangement. There had been established for the pur-
9 pose of dealing with the affairs of prisoners of war
10 two separate bureaus, one known as the Prisoner of War
11 Information Bureau, and the other as the Prisoner of
12 War Control Bureau. The Chief of both of these units
13 was the same person, and both organizations were set
14 up directly under the Minister of War. All complaints
15 received from foreign nations, and other outside
16 sources, were routed to the Chief of the Prisoner of
17 War Information Bureau just mentioned. In addition to
18 these two bureaus, there was set up in the City of
19 Tokyo an area office for the centralized control of
20 prisoner of war detachments within the territorial
21 jurisdiction of the Eastern Area Army. The main
22 office was in the official chain of command under the
23 Commanding General of the Eastern Area Army. Its
24 branches and detachments numbered about twenty with a
25 total of some 4,000 prisoners. The Prisoner of War

1 Control Bureau and the Prisoner of War Information
2 Bureau just referred to were in no manner or wise
3 connected with the command of the Eastern Area Army,
4 and the Commanding General of the Eastern Area Army
5 had no control whatsoever over these two organiza-
6 tions. However, in accordance with the orders of the
7 Minister of War, or upon his own initiative, the Chief
8 of these two bureaus directed the Chiefs of the prison-
9 er of war camps throughout Japan in regard to the
10 control of the prisoners of war, and he or his subordin-
11 ate officers often paid visits to the various branches
12 and detachments scattered throughout the various parts
13 of Japan for the purpose of observation and inspec-
14 tion or for the purpose of giving directions to them.
15 As explained, the Commander of the Eastern Area Army,
16 according to the official chain of command, was
17 responsible for the control and administration of
18 prisoners of war within his territorial jurisdiction.
19 However, in actual practice the activities of the
20 Prisoner of War Control Bureau and Prisoner of War
21 Information Bureau operated to relieve the adminis-
22 trative responsibility for prisoners of war from him,
23 which permitted him to devote much more time to the
24 manifold duties which he had to perform.
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"I know personally that during the time

1 General DOHIHARA was Commander of the Eastern Area
2 Army he never received a single complaint, either
3 from his superior officers or from his subordinate
4 officers, with reference to the mistreatment of
5 prisoners of war. I do not mean he did not receive
6 any reports on prisoners of war, because he did re-
7 ceive a monthly report on general conditions, but they
8 did not refer to the mistreatment of prisoners of war.

9 "I know that despite the many duties which
10 General DOHIHARA was compelled to perform he was
11 interested in the welfare of prisoners of war and
12 would take occasion to visit the camps under his con-
13 trol. On one visit to the Naoetsu camp General
14 DOHIHARA learned that the camp was not adequately
15 provided with skilled medical care, and that in an
16 emergency it had to depend upon securing the services
17 of doctors from cities as far away as Shibata. De-
18 spite the fact that there were many units and detach-
19 ments of the Japanese Army, and many civilian com-
20 munities, as devoid of medical attention as this
21 prisoner of war camp, General DOHIHARA managed to make
22 special arrangements to provide the camp with medical
23 care by army physicians stationed at the Base Hospital
24 at Takata, only a short distance away.

25 "The policy with reference to the handling of

1 prisoners of war was forwarded to the Commander of the
2 Eastern Area Army over the signature of the Minister
3 of War for his compliance and was not formulated by
4 such commanding officer."

5 You may cross-examine.

6 THE PRESIDENT: Judge Hsiang.

7 JUDGE HSIANG: If it please the Tribunal,
8 the prosecution is not going to cross-examine this
9 witness, but desires to point out the following: the
10 defendant DOIHARA in his capacity as the Commanding
11 General of the Eastern District Army visited some of
12 the prisoner of war camps under his jurisdiction in
13 September and October 1943, and at one camp alone --

14 THE PRESIDENT: Just give us the page of the
15 transcript and the exhibit number, if you have it.

16 JUDGE HSIANG: Reference in the Court record
17 is as follows: page 16,258 and pages 14,270 to 80.

18 THE PRESIDENT: The witness is released on the
19 usual terms.

20 (Whereupon, the witness was excused.)

21 MR. WARREN: Will the Language Section refer
22 to my running commentary, the last entry?

23 At this time, with the Tribunal's kind per-
24 mission, I should like to read from the record of the
25 cross-examination of the witness Chish lm. This

1 reading is in connection with the prisoner of war
2 camps in the Tokyo area, and adjacent territories,
3 at the time the accused General DOHIHARA was Commander
4 of the Eastern Area Army. To refresh the Tribunal's
5 memory, I should like to state that this witness
6 testified concerning the condition of the camps, lack
7 of clothing, treatment of prisoners, etc. I should
8 like to read commencing with the next to the last
9 question on page 14,277 of the record for 3 January
10 1947, and continuing through the second answer on
11 page 14,278 thereof.

12 THE PRESIDENT: Just refer to the pages of
13 the transcript; do not read them.

14 MR. WARREN: Very well, sir. That is the
15 substance, and the question which I would like to call
16 attention to is the one which starts, "Well, I under-
17 stood you to testify" and it ends with "I have no
18 recollection."

19 At this time, if the Tribunal please, we have
20 completed the presentation of our evidence on behalf
21 of the accused DOIHARA.

22 THE PRESIDENT: That is the case for DOIHARA,
23 as we say in the national court. Some question arose
24 the other day about that.

25 MR. WARREN: No, your Honor. I have a few

1 more remarks to make before I rest my case.

2 THE PRESIDENT: After you close your case,
3 you address on your evidence. You use the expression
4 "I close my case" before you address, not afterwards.
5 However, it may be different in America. We have your
6 summation yet, Colonel Warren.

7 MR. WARREN: Your Honor, I had not completed
8 my statement and the Tribunal, had they let me finish,
9 would have known that I had not rested. When I say
10 "I rest," your Honor, I shall not attempt to put a
11 further bit of testimony before the Tribunal.

12 If I made an error, it should not be charged
13 up against my client.
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1 THE PRESIDENT: I am not suggesting any error.
2 I want to know just where we stand. There may be a
3 difference in the formulas used in America and those
4 used in the British Empire as far as I am familiar with
5 the British Empire procedure. I don't know. In the
6 British Empire you would say, "That is the case for
7 the accused." I understand the equivalent expression
8 in America is, "That concludes the presentation of my
9 evidence." In either case no further evidence can be
10 given except in the interest of justice and by the
11 express direction of the Court.

12 Mr. Chief Counsel.

13 MR. KEENAN: In view of some previous remarks
14 of the learned counsel, Mr. Warren, and in view of his
15 statement that he has no more evidence to present, I
16 ask respectfully the Court to instruct counsel either
17 to proceed to present evidence in the form of witnesses
18 or documents, if he has any, or to refer the Court to
19 any part of the record, and to confine the defense of
20 DOHIHARA to such orderly procedure as outlined in the
21 Charter.

22 THE PRESIDENT: Colonel Warren.

23 MR. WARREN: Your Honor, the red light stopped
24 me. I hadn't completed my sentence. I would have said,
25 had I been permitted to continue, that we had completed

1 the presentation of our evidence on behalf of the
2 accused DOHIHARA in so far as witnesses and documents
3 are concerned outside of General DOHIHARA. That
4 couldn't possibly mean that I had stopped my case.
5 I didn't intend to. I intended to tell the Tribunal
6 what I wanted to do concerning General DOHIHARA. I
7 wanted to tell the Tribunal that we had not prepared
8 an affidavit on the part of the accused DOHIHARA, but
9 that neither his counsel nor myself has anything which
10 they desire to withhold from the Tribunal, and that if
11 any Member of the Tribunal desires him to take the stand,
12 in accordance with the provisions of the Charter, he
13 will answer for the Tribunal any question, under oath,
14 which any Member propounds; and he will not take the
15 witness stand unless called by the Court or any Member
16 thereof. We do not offer him ourselves as a witness.

17 THE PRESIDENT: Mr. Chief Counsel.

18 MR. KEENAN: Mr. President, I object to the
19 statement made by the learned defense counsel to the
20 effect -- I haven't the exact phraseology -- that he
21 has no desire to withhold anything from the Court. I
22 ask that if they intend to put a witness on the stand,
23 he be called by them as their witness.

24 THE PRESIDENT: The Tribunal has said all it
25 proposes to say about this matter for the time being.

1 MR. WARREN: Your Honor, inasmuch as this is
2 a matter which may arise at a later time and it affects
3 the rights of these accused, may I point out to the
4 Tribunal why I am taking this course of action, which
5 I have a right to do?

6 THE PRESIDENT: Colonel Warren, the purpose
7 of such a statement to the Tribunal would be to get
8 their advice, which we do not give, or their direction,
9 which we shall give only when the necessity arises. We
10 have said all we propose to say about this matter.
11 That is all I am authorized to say for the time being.

12 MR. WARREN: Your Honor, at the risk of incur-
13 ring the Tribunal's displeasure, at this time, in the
14 interest of my client, I must insist I be heard further,
15 because I am not asking for advice. I did that three
16 weeks ago and your answer at that time was that you
17 would deal with it at a later time when it arose. This
18 is the time the question has arisen.

19 THE PRESIDENT: The Tribunal has decided not
20 to hear you at this stage on this matter. In your sum-
21 ming up you can give any explanation you think fit in
22 this regard.

23 It would be most unusual in any court with
24 which we are acquainted to allow you to make an explana-
25 tion of this kind at this stage. In your summing up you

1 would have liberty to do so. It is quite usual in
2 our courts, at all events, for counsel addressing the
3 jury at the conclusion of the case to give any explana-
4 tion he sees fit as to not calling the accused.
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1 MR. WARREN: Your Honor, this Tribunal may
2 give the prosecution an opportunity to comment on
3 the failure of the accused to answer any questions.
4 I want the record to show that the accused has
5 offered himself to this Tribunal for questioning
6 within the terms of the Charter and has not refused
7 to answer anything. And we will not rest our case
8 at this time, if your Honor please, unless it is
9 subject, of course, to reopening.

10 THE PRESIDENT: The accused and his counsel
11 have the responsibility for deciding whether the ac-
12 cused will go into the box. Whether that is shared
13 or not is another matter, but certainly it rests on
14 the accused and his counsel to make that decision.

15 MR. KEENAN: Mr. President, the prosecution
16 objects to this record registering any statement
17 that is not in accordance with the fact. The state-
18 ment has been made that DOHIHARA has been offered
19 as a witness. We challenge the accuracy and truth-
20 fulness of that statement.

21 THE PRESIDENT: The debate is closed, but
22 we will hear you if you propose something new,
23 Colonel Warren.

24 MR. WARREN: I should like to say this,
25 your Honor: that under the provisions of the

1 Charter, which I had before me just a minute ago,
2 this Tribunal has the right to call and question
3 the accused. We merely stated at this time that
4 the Tribunal could do so and we would not refuse
5 to answer a single question.

6 THE PRESIDENT: The Tribunal knows what
7 is in the Charter. There is no need for you to re-
8 mind us of that. The debate is closed. I cannot
9 hear you further without the express permission of
10 the Tribunal.

11 MR. WARREN: Then I ask for it, sir.

12 THE PRESIDENT: No Member of the Tribunal
13 has intimated to me that he wants to hear you
14 further.

15 MR. WARREN: Your Honor, I have asked for
16 a ruling, not an intimation.

17 THE PRESIDENT: You have the ruling. You
18 will not be heard further.

19 MR. WARREN: If that is the ruling, then
20 I take exception.

21 At this time, your Honor, we will pass the
22 case to the next man. We will not voluntarily rest
23 our case at this time because of the attitude of
24 the Tribunal. It has not answered the question,
25 in our opinion, which must be answered before we

1 will say we will not put the accused on the witness
2 stand.

3 THE PRESIDENT: We refer to the tran-
4 script.

5 Commander Harris.

6 MR. HARRIS: Mr. President and Members of
7 the Tribunal, the defendant HASHIMOTO, Kingoro now
8 desires to submit to this Tribunal, through wit-
9 nesses, documents and his own testimony, further
10 evidence intended to disprove the charges alleged
11 against him in the Indictment. Since this evidence
12 is quite brief, we are dispensing with a formal
13 opening statement.

14 I now offer in evidence defense document
15 2498A and 2498B, two charts. The former --

16 THE PRESIDENT: Admitted on the usual
17 terms.

18 CLERK OF THE COURT: Defense document 2498A
19 will receive exhibit No. 3190. Defense document
20 2498B will receive exhibit No. 3190A.

21 (Whereupon, document Nos. 2498A
22 and 2498B were marked defense exhibit
23 Nos. 3190 and 3190A, respectively, and
24 received in evidence.)
25

MR. HARRIS: I do not desire to read

exhibits 3190 and 3190A at the present.

1 Prosecution's exhibit No. 734 was marked
2 for identification at page 7,647 of the record.
3 Prosecution exhibit No. 734A, which was read into
4 evidence on the same page of the record and which
5 is an excerpt from the above exhibit, explains only
6 in part the position of the defendant HASHIMOTO.
7 In order to complete the picture, I now offer in
8 evidence defense document No. 2499 which is a
9 further excerpt from exhibit No. 734.
10

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Defense document 2499
13 will receive exhibit No. 3191.

14 (Whereupon, the document above
15 referred to was marked defense exhibit
16 No. 3191 and received in evidence.)

17 MR. HARRIS: Reading from exhibit 3191,
18 I quote from page 2 of the record:

19 "Now in relation to how advantage can be
20 taken of these countries strategically, the following
21 points should be borne in mind subject to change,
22 of course, with the then existing world situation.

23 "We must recognize that England after her
24 expedition into the Caucasus following the Russian
25 revolution, is greatly desirous of holding on to

1 Bakuh's oil. And it is necessary to take advantage
2 of this fact. However, in the event of Russo-
3 Japanese trouble she cannot very well make any move-
4 ment in the Caucasus against Russia without suffi-
5 cient reason. But it is possible for England and
6 Japan to jointly act and encourage both Turkey and
7 Persia's craving for territory in the Caucasus and
8 use these two countries as tools to work upon the
9 Musuliman state in the Caucasus.

10 "In any event, it is most essential to con-
11 tinue to maintain good relations with England in
12 case trouble should arise between Russia and Japan."
13

1 I shall first call the witness OBATA,
2 Minoru whose testimony is contained in defense docu-
3 ment 1361.

4
5 M I N O R U O B A T A, called as a witness on
6 behalf of the defense, being first duly sworn,
7 testified through Japanese interpreters as
8 follows:

9 DIRECT EXAMINATION

10 BY MR. HARRIS:

11 Q Please state your name and address.

12 A My name is OBATA, Minoru; my address, 260
13 Yanagigaura-machi, Usa-Gun, Oita-Ken.

14 MR. HARRIS: May the witness be shown de-
15 fense document 1361?

16 (Whereupon, a document was handed
17 to the witness.)

18 Q Please examine that document and state
19 whether it is your affidavit signed and sworn to
20 by you.

21 A It is undoubtedly mine.

22 Q Is it true and correct?

23 A With the exception of my occupation, it is.
24 My occupation now is farmer.
25

~~MR. HARRIS: I offer in evidence, as cor-~~

1 rected, defense document 1361.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Defense document
5 1361 will receive exhibit No. 3192.

6 (Whereupon, the document above
7 referred to was marked defense exhibit
8 No. 3192 and received in evidence.)
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1 rected, defense document 1361.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Defense document
5 1361 will receive exhibit No. 3192.

6 (Whereupon, the document above
7 referred to was marked defense exhibit
8 No. 3192 and received in evidence.)
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1 MR. HARRIS: I now read exhibit 3192:

2 "At the time of the termination of the war
3 I was a colonel in the army. Now I am taking charge
4 of ships engaged in repatriation work.

5 "I know Colonel HASHIMOTO, Kingoro, very
6 well.

7 "In August 1937, when Colonel HASHIMOTO was
8 called up by the army and became the regimental com-
9 mander of the 13th Field Heavy Artillery Regiment,
10 I was then appointed to be a battalion commander
11 under his command. From that time till he returned
12 to Japan in April 1939 from Hsiushui (China) I was
13 always with him.

14 "When he arrived at the point about 8 miles
15 (3 RI) west of Wuhu on December 11, 1937, Colonel
16 HASHIMOTO received the following order from Com-
17 manding General YANAGAWA and thereupon returned to
18 Wuhu immediately:

19 "'Unit Commander HASHIMOTO shall command
20 his regiment together with one field artillery batta-
21 lion and one infantry battalion and attack at the
22 point near Wuhu ships which are carrying Chinese
23 soldiers and sailing up on the Yangtse.'

24 "This order came about 2 A. M.

25 "Colonel HASHIMOTO's order then to me was,

1 'Major OBATA shall command his own unit together with
2 one artillery battalion and occupy a position at the
3 wharf of Wuhu and attack fleeing Chinese fleet.'
4 This order came about 5 A. M.

5 "By order of Colonel HASHIMOTO, Lieutenant
6 NAKAMURA was to advance to a point about 2,000 meters
7 downstream and to wave a handkerchief whenever he
8 saw the fleeing enemy ships by telescope. When I
9 saw the handkerchief waved by Lieutenant NAKAMURA
10 I was to fire upon these ships.

11 "It was still before dawn and not yet light:
12 Lieutenant NAKAMURA waved the handkerchief. I saw
13 through the telescope a fleet of 5 or 6 ships all
14 gathered and anchored about 50 meters apart. I in-
15 stantly began firing upon this fleet. The distance
16 was about 4,000 meters.

17 "Even after dawn it was very difficult to
18 see the ships clearly because of deep fog on that
19 day, which was very typical on the Yangtse. I could
20 only discern ships loaded with Chinese soldiers.

21 "When we fired twenty or thirty shells one
22 of the ships put out a black smoke screen. After
23 covering was completed by the smoke screen one ship
24 sailed toward us.
25

"Seeing the ship coming toward us we thought

1 they were about to surrender, so we stopped the
2 shelling upon them entirely. As the ship neared
3 its hull became clear. When it came within 3,000
4 meters we first discovered then it was not a Chinese
5 army ship. At first it was not the distance but the
6 heavy fog which made it difficult for us to tell
7 these were not Chinese Army ships.

8 "After ceasing fire and while waiting for
9 the ship to reach the wharf, we then found out by
10 its flag that it was a British ship and it had re-
11 ceived two direct hits.

12 "A rear admiral wearing staff officer in-
13 signia, the captain of the ship, his executive of-
14 ficer, and one other officer came ashore and asked
15 us to meet for negotiations.

16 "From our side Colonel H. SIMOTO, Lieutenant
17 NAKAMURA and I, together with one interpreter, took
18 part in this negotiation. The first question they
19 asked was why we had fired upon them. To this
20 Colonel HASHIMOTO instantly replied: 'We fired upon
21 the ships because they were loaded with Chinese sol-
22 diers.' Their next question was why we had fired
23 on British ships. Colonel HASHIMOTO again instantly
24 answered: 'Due to the heavy fog we were not able to
25 see and tell they were British ships.'

1 "Since one death had resulted from the shell-
2 ing, the Captain of the British ship asked us to at-
3 tend the funeral service. We sent one representative
4 to this funeral service. This was held at the public
5 hall.

6 "This British ship was the 'Ladybird!!' Later
7 I learned that the matter of the Ladybird incident was
8 taken up through diplomatic negotiations, but as to
9 its details I know nothing.

10 "Colonel HASHIMOTO and the HASHIMOTO forces
11 had no connection whatsoever with the sinking of the
12 American ship 'Panay.' We, the HASHIMOTO force, had
13 never seen the 'Panay.'

14 The HASHIMOTO force was stopped at Wuhu, 14
15 or 15 'RI' (about 37 miles) from Nanking. Shortly
16 after the fall of Nanking this force was ordered to ad-
17 vance to Hangchow and therefore never participated in
18 the attack on Nanking nor did it enter into Nanking or
19 its vicinity.

20 "The HASHIMOTO force did not attack Hankow
21 nor did it enter Hankow or its vicinity."

22 "The HASIMOTO force did not attack Canton
23 (Kuang Tung) nor did it enter Canton or its vicinity."

24 You may cross-examine.
25

1 THE PRESIDENT: Mr. Tavenner.

2 CROSS-EXAMINATION

3 BY MR. TAVENNER:

4 Q Mr. OBATA, do I understand that the shell-
5 ing of the "Ladybird" occurred about thirty-seven
6 miles north of Nanking?

7 A Yes, you may.

8 Q What hour of the morning?

9 A I believe it was around nine o'clock.

10 Q You have stated that Lieutenant NAKAMURA
11 was posted two thousand yards down the river from
12 your battery. What orders did you give him or were
13 given him other than those mentioned in your affi-
14 davit? I should have stated "meters" instead of
15 "yards."

16 A No other orders were given him.

17 Q Now, after assuming his post two thousand
18 meters down the river, how far was he from the
19 "Ladybird"?
20

21 A About two thousand four hundred or five
22 hundred meters.

23 Q Now, Mr. OBATA, if you saw a handkerchief
24 dropped by Lieutenant NAKAMURA two thousand yards
25 away from you, was there anything to your knowledge
which would have prevented him from discerning a

1 flag on a battleship or the hull of a battleship
2 two thousand five hundred meters away from him?

3 A The fog; there was a fog.

4 Q Did Lieutenant NAKAMURA give you any report
5 at the time he dropped the handkerchief or make any
6 signal to indicate to you that this was a ship of
7 a foreign power -- of a third power?

8 A No, he did not.

9 Q Was not the reason for his failure to give
10 you any such warning the fact that it was understood
11 all the time that the ship of a foreign power would
12 be fired upon if observed?

13 A That is not so.

14 Q You said you had not given him any in-
15 structions other than those mentioned in your affi-
16 davit. Now I ask you what instructions did you re-
17 ceive about firing upon the ships of third powers?

18 A I received no orders concerning the ships
19 of third powers.

20 Q I did not understand the reply.

21 (Whereupon, the last answer was
22 read by the official court reporter.)

23 Q (Continuing) Now, you referred in your
24 affidavit to an order received by Colonel HASHIMOTO.
25 Did you see the order?

A Yes.

Q In what form or how was that order received, by courier or how?

A Orally.

Q Orally?

A Yes, orally.

Q From whom?

A From Colonel HASHIMOTO.

Q But I understood you to say that you saw the order. If you saw it, it must have been in writing.

A I take back what I said about seeing it.

Q You state now you did not see the order?

A Yes.

Q Then, if Colonel HASHIMOTO received an order about firing upon vessels regardless of nationality, he said nothing to you about that?

A That is so.

Q Do you know that an investigation was made --

THE INTERPRETER: Correction: Strike out "That is so." "As you say."

Q (Continuing) Do you know that an investigation was made of this matter by a man named NAKAYAMA, Yasuto, and did he talk to you about it?

A I do not know the name of NAKAYAMA, Yasuto.

1 Q Well, did anyone investigating this matter
2 consult you?

3 A No one consulted me.

4 THE PRESIDENT: We will adjourn until
5 half-past one.

6 (Whereupon, at 1200, a recess
7 was taken.)

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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: With the permission of the
Tribunal the accused HOSHINO will be absent from the
courtroom conferring with his counsel for the whole of
this afternoon's session.

Mr. Tavenner.

- - -

MINORU OBATA, called as a witness on be-
half of the defense, resumed the stand and testi-
fied through Japanese interpreters as follows:

CROSS-EXAMINATION

BY MR. TAVENNER (Continued):

Q Mr. OBATA, I asked you a question before re-
cess regarding the order described on page 1 of your
affidavit as having been received by Colonel HASHIMOTO
from General YANAGAWA. I want to make certain whether you
saw that order or whether that order was a verbal order.

A The order was given verbally. Later I saw
the order which a secretary had written down.

Q You mean to state that the order when received
by Colonel HASHIMOTO was received by him verbally?

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- - -

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CROSS-EXAMINATION

BY MR. TAVENNER (Continued):

Q Mr. OBATA, I asked you a question before re-
cess regarding the order described on page 1 of your
affidavit as having been received by Colonel HASHIMOTO
from General YANAGAWA. I want to make certain whether you
saw that order or whether that order was a verbal order.

A The order was given verbally. Later I saw
the order which a secretary had written down.

Q You mean to state that the order when received
by Colonel HASHIMOTO was received by him verbally?

1 A I do not know how he received this order --
2 what were the circumstances in which he received this
3 order.

4 Q When you saw a copy of what was received at a
5 later date, did it say anything about firing upon
6 ships regardless of nationality?

7 A I did not see the order which came from
8 army commander YANAGAWA -- from the YANAGAWA army.

9 Q Therefore you know nothing about what it
10 contained as a matter of fact?

11 A That is so; I did not know.

12 MR. TAVENNER: Now, if the Tribunal please,
13 I would like to refer to two exhibits: exhibit 2188,
14 page 15,678 of the transcript, and exhibit 954-C,
15 page 9452 of the transcript.

16 There are no further questions, if your
17 Honor please.

18 MR. HARRIS: I should like to ask the
19 witness a few questions.

20 REDIRECT EXAMINATION

21 BY MR. HARRIS:

22 Q What type and size of ship was the "Ladybird"?
23

24 THE PRESIDENT: Before you proceed, Commander
25 Harris, this seems to me to be a question which should
 be put to the witness:

1 How, from a distance of 2,000 meters, did
2 he see Lieutenant NAKAMURA wave a handkerchief, it
3 being still before dawn and not yet light?

4 THE WITNESS: I saw it through a telescope--
5 through binoculars.

6 THE PRESIDENT: But can you see that way in
7 the nighttime, that is, before dawn and not yet light?
8 Did the Japanese have any instrument of that nature?

9 THE WITNESS: I saw him after it became
10 light.

11 THE PRESIDENT: That appears to contradict
12 your affidavit. You should have an opportunity to
13 explain that.

14 MR. HARRIS: Would you explain to the
15 Tribunal--

16 THE PRESIDENT: You say in paragraph 7 --
17 I will read it as it is written in English: "It was
18 still before dawn and not yet light; Lieutenant
19 NAKAMURA waved the handkerchief. I saw through the
20 telescope" certain things.

21 THE WITNESS: If it is a distance of about
22 2,000 meters the mist which was over the land was
23 comparatively lighter.

24 THE PRESIDENT: But it was before dawn and
25 not yet light. Would you like us to refer to the

1 original Japanese?

2 THE WITNESS: No, your Honor.

3 THE PRESIDENT: You said that; you do not
4 question that?

5 MR. HARRIS: May that be referred to the
6 language section, your Honor? I believe the Japanese
7 states that it was not completely light. I may be
8 wrong but I have been told that is what the Japanese
9 says.

10 THE PRESIDENT: We will refer it to Major
11 Moore.

12 Now, there is another question on behalf of
13 a Member of the Tribunal: Is General YANAGAWA still
14 living?

15 THE WITNESS: I do not know.

16 THE PRESIDENT: Another Member of the Tribunal
17 asks: As a flag of a ship is larger than a handkerchief,
18 why was the handkerchief seen and not the flag?

19 THE WITNESS: The handkerchief was waved at
20 a distance of 2,000 meters from where I was, whereas
21 the ship was at least 4,000 meters away. Furthermore,
22 the mist over the land was comparatively lighter than
23 the mist over the water.

24 THE PRESIDENT: Yes, Commander Harris, proceed
25 with your redirect examination.

BY MR. HARRIS (Continued):

1 Q Will the witness please answer the question
2 which I had asked in relation to the type and size
3 of the ship?

4 A Although I do not remember well, according
5 to my recollection it was a gunboat.

6 MR. HARRIS: There are no further questions.
7 May the witness be released on the usual
8 terms?
9

10 THE PRESIDENT: He is released on the usual
11 terms.

12 (Whereupon, the witness was excused.)

13 MR. HARRIS: I next call the witness OGAWA,
14 KIICHI, whose testimony appears in defense document
15 488.

16 - - -

17 K I I C H I O G A W A, called as a witness on
18 behalf of the defense, being first duly sworn,
19 testified through Japanese interpreters as follows:

20 DIRECT EXAMINATION

21 BY MR. HARRIS:

22 Q Please state your name and address.

23 A My name is OGAWA, Kiichi; my address is:
24 Nipponsan, Myohoji Temple, Togo, Numazu City, Shizuoka
25 Prefecture.

1 MR. HARRIS: May the witness be shown
2 defense document 488?

3 Q Please examine that document and state
4 whether it is your affidavit, signed and sworn to by
5 you.

6 Witness, is that your affidavit?

7 A Yes, it is.

8 Q Is that your signature?

9 A Yes.

10 Q Are the contents true and correct?

11 A Yes.

12 MR. HARRIS: With the exception of that
13 portion of paragraph 15, line 5, beginning with the
14 words, "and are entirely," and continuing through the
15 remainder of the paragraph, and also all of paragraph
16 17, I now offer in evidence defense document 488.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Defense document 488
19 will receive exhibit No. 3193.

20 (Whereupon, the document above
21 referred to was marked defense exhibit
22 No. 3193 and received in evidence.)
23
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1 MR. HARRIS: I read exhibit 3193:

2 "1. At present I am a priest of the Nichi
3 Ren Sect, living in Shizuoka Prefecture and also am
4 engaged in the work of helping children orphaned by
5 the war.

6 "2. I became a member of the Dainihon
7 Seinento in April 1938. While HASHIMOTO, Kingoro,
8 president of the society, was away on active military
9 duty, I being an advisor to the society, acted for him
10 as president pro temp. Upon his return in April 1939
11 I relinquished my post of advisor and became a coun-
12 cillor and remained so till the dissolution of the
13 society in October 1940."

14 "3. The purposes of the Dainihon Seinento
15 were to abolish the established parties and to accom-
16 plish domestic reform since the general public feel-
17 ing at that time was that these parties and the
18 Zaibatsu, in collusion, had selfishly appropriated to
19 themselves the government to such extent that extreme
20 corruption was rampant everywhere and the only ones
21 whom the public could trust were the military and the
22 judiciary. The Dainihon Seinento absolutely did not
23 have aggressive war as its objective.

24 "4. The membership in the Dainihon Seinento
25 fluctuated somewhat but it never reached 20,000. It

1 never included a single military man on the active
2 list or a single influential government official.

3 "5. The expenses of the Dainihon Seinento
4 were met by the ¥ 1 yearly membership fee and the ¥ 1
5 entrance fee paid in by each member of the society.
6 The society never received any financial aid from the
7 military or from any other source.

8 "6. The 'Taiyo Dai Nihon', which is the
9 official news organ of the society, was not circulated
10 outside of its membership.

11 "7. The Dainihon Sekiseikai, a thought organ-
12 ization, was formed upon the dissolution of the Dai-
13 nihon Seinento out of a portion of the latter's member-
14 ship.

15 "8. The Dainihon Sekiseikai had as its ob-
16 jectives the guidance of the thought of Japanese youth
17 and the encouragement of increasing the rice production.
18 This increase was to be based on the Oinoue system.
19 Aggressive war was absolutely no part of the society's
20 objectives.

21 "9. The membership of the Dainihon Sekiseikai
22 was about 5,000. It never included a single military
23 man on the active list nor a single influential gov-
24 ernment official.

25 "10. The expenses of the Dainihon Sekiseikai

1 were met by the ¥ 1 yearly membership fee and the
2 ¥ 2 entrance fee paid in by each member. The society
3 never received any financial aid from the military or
4 from any other source.

5 "11. The Dainihon Sekiseikai took over the
6 management of the official news organ of the Dainihon
7 Seinento - the 'Taiyo Dai Nihon'. After the transfer
8 of management to the Sekiseikai every effort was made
9 to publish articles concerning increasing rice produc-
10 tion. This also was not circulated outside the member-
11 ship.

12 "12. I have not been connected with the IRAA."

13 IRYA is a mistake, your Honor. It should be
14 IRAA.

15 "13. In September 1944 at the time of the
16 dissolution of the Dainihon Sekiseikai I joined the
17 Imperial Rule Youth Association. Its membership never
18 included a single military man on the active list, nor
19 a single influential government official. I was at
20 the time of my joining the association on the general
21 affairs committee, and in November 1944 I became chief
22 of the Guidance Branch.

23 "14. The activity of the IRYA was principal-
24 ly the encouragement of an increase in wheat production.
25 The activity of the IRYA was absolutely not directed

1 toward aggressive war.

2 "15. The books of HASHIMOTO, Kingoro -
3 'Advice to Youth', 'The Second Creation', 'The Inevi-
4 table Renovation', 'How to Rebuild World', 'The Declara-
5 tion of HASHIMOTO, Kingoro', and his essays in the
6 'Taiyo Dai Nippon', were all written after he gave up
7 his military career and had become an ordinary civil-
8 ian. . . .

9 "16. The above mentioned books are all re-
10 productions of the essays appearing in the 'Taiyo Dai
11 Nippon'."

12 You may cross-examine.

13 THE PRESIDENT: Colonel Woolworth.

14 MR. WOOLWORTH: If the Tribunal please, I
15 would invite the Tribunal's attention to paragraph 8
16 of exhibit 3193; to exhibit 2188, which will be found
17 in the record at pages 15,680-1.

18 There is no cross-examination of the witness.

19 THE PRESIDENT: The witness is released on
20 the usual terms.

21 (Whereupon, the witness was excused.)

22 MR. HARRIS: I wish now to call the witness
23 SUZUKI, Takhashi, whose testimony is contained in
24 defense document 2130.
25

1 T A K A S H I S U Z U K I, called as a witness
2 on behalf of the defense, being first duly
3 sworn, testified through Japanese interpreters
4 as follows:

5 DIRECT EXAMINATION

6 BY MR. HARRIS:

7 Q Please state your name and address.

8 A My name is SUZUKI, Takashi. My address,
9 45 Uye-machi, Nakano-ku, Tokyo.10 MR. HARRIS: May the witness be shown
11 defense document 2130.12 Q Please examine that document and state
13 whether it is your affidavit, signed and sworn to by
14 you. Witness, is that your affidavit?

15 A Yes, it is.

16 Q Is that your signature?

17 A Yes.

18 Q Are the contents true and correct?

19 A Yes.

20 MR. HARRIS: I offer in evidence defense
21 document 2130.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Defense document 2130
24 will receive exhibit No. 3194.

25 (Whereupon, the document above

1 referred to was marked defense exhibit
2 No. 3194 and received in evidence.)

3 MR. HARRIS: I read exhibit 3194.

4 "My last rank as an army officer was that of
5 colonel.

6 "In August 1934 I sponsored a farewell party
7 at Akebonoso Restaurant for Major General Hideki TOJO,
8 who was to be transferred to become Commanding General
9 of the Kurume Brigade.

10 "The sponsors of this party were GONDO,
11 Masanori, a section chief of the Military Academy,
12 AMANO, Isamu, an instructor at the Military Academy,
13 and I, then serving in the first section of the Army
14 General Staff.

15 "The ones who gathered at this party were
16 selected only from among those officers who were
17 serving either in the Army General Staff, War Ministry,
18 Department of Military Training or Military Academy
19 and were in the good graces of Major General TOJO. I
20 did not send out an invitation to Mr. SHIMOTO,
21 Kingoro, who was then attached to Mishima Regiment
22 and who was not serving in any one of the above-
23 mentioned four groups.

24
25 "Further I was not aware of any particular
friendly relationship between him and Major General

1 TOJO that would call for his being specially singled
2 out for invitation. For these reasons he was not
3 present at the party.

4 "At no time other than at the above-mentioned
5 party did I ever act as sponsor of a party at the
6 Akebonoso Restaurant."

7 You may cross-examine.

8 THE PRESIDENT: Mr. Tavenner.

9 MR. TAVENNER: If the Tribunal please, there
10 will be no cross-examination of this witness, but
11 reference is made to the prosecution evidence appearing
12 at page 2056 of the transcript.

13 MR. HARRIS: May the witness be released on
14 the usual terms?

15 THE PRESIDENT: He is released accordingly.

16 (Whereupon, the witness was excused.)

17 MR. HARRIS: Mr. HAYASHI will now continue
18 with the evidence.

19 THE PRESIDENT: Counsel HAYASHI.

20 MR. HAYASHI: I call as my first witness,
21 the defendant HASHIMOTO, Kingoro.
22

23 - - -
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25

1 KINGORO HASHIMOTO, an accused,
2 being first duly sworn, testified through
3 Japanese interpreters as follows:

4 DIRECT EXAMINATION

5 BY MR. HAYASHI:

6 Q I should like to ask the witness his name.

7 A HASHIMOTO, Kingoro.

8 MR. HAYASHI: I should like to have defense
9 document 2231 shown to the witness.

10 Q Is this your affidavit, to which you have
11 signed your signature?

12 A Yes, as you say.

13 Q Are the contents true?

14 A Yes.

15 MR. HAYASHI: I offer in evidence defense
16 document 2231.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Defense document 2231
19 will receive exhibit No. 3195.

20 (Whereupon, the document above
21 referred to was marked defense exhibit
22 No. 3195 and received in evidence.)

23 MR. HAYASHI: I shall read exhibit No. 3195.

24 "1. I commenced my army service when com-
25 missioned an artillery second lieutenant in December

1 1911. In August 1934 I was appointed artillery colonel
2 and became commander of the second heavy field artillery
3 regiment at Mishima. I was transferred to the reserve
4 list in August 1936.

5 "2. I was again called up to the colors in
6 August 1937 and dispatched to the north and to middle
7 China as a heavy artillery regimental commander till
8 in April 1939 I was again restored to the reserve list.

9 "3. Except for the above two periods of active
10 duty I have never been in government service and have
11 been at all other times a simple ordinary civilian.

12 "4. Neither has any official position which
13 I have occupied been sufficiently important to have
14 entitled me to take part in any planning, preparing
15 or conspiring in relation to the Manchurian Incident,
16 the China Incident or the Pacific War, nor did I as
17 a matter of fact participate in any planning, preparing
18 or conspiring in regard to these incidents or war.

19 "5. I have never been on friendly terms
20 with any of the defendants. As a matter of fact, at
21 the time of the so-called October Incident I was
22 severely reprimanded by Lt. General ARAKI and confined
23 by order of War Minister MINAMI.

24 "6. My publications 'Messages to Young Men,'
25 'The Inevitability of Renovation,' 'The Road to the

1 Reconstruction of the World,' 'The Second Creation,'
2 and essays which appeared in the magazine 'Taiyo Dai-
3 Nippon' were all written and published when I was an
4 ordinary civilian. In these publications and essays
5 were described only my personal opinions as an ordi-
6 nary civilian and they did not represent any plan or
7 conspiracy worked out in cooperation with any other
8 party.

9 "7. While a civilian I made some public
10 speeches, but these conveyed only my personal convictions
11 arrived at independently and not through any plan or
12 conspiracy with any other persons.

13 "8. In September 1927, I was appointed
14 Military Attache to the Japanese Embassy in Turkey
15 and served there till January 1930. During that
16 period -- on 15 November 1929 -- I sent to Deputy Chief
17 of Staff OKAMOTO, Renichiro, a report bearing the title
18 of 'Situation in the Caucasus and Its Strategic
19 Utilization.' This report was made in the course of
20 the performance of a military attache's routine duty.
21 In this report the phrases 'Subject to change, of
22 course, with the then existing world situation' and 'in
23 case trouble should arise between Russia and Japan'
24 appear. These phrases should be interpreted to mean
25 that 'our attitude has to be altered in accordance

1 with changes in international relations' and 'if,
2 unfortunately, a war should break out between Japan
3 and Russia.'

4 "It is obvious not only from this report,
5 but from an examination of any and all other evidence
6 that I have never plotted, prepared or conspired with
7 others to wage an aggressive war against Russia.

8 "9. In October 1930 I inaugurated with a
9 view to national reform a study and discussion group
10 called 'Sakurakai' or the 'Cherry Blossom Society'
11 whose members consisted of officers under the rank
12 of lieutenant colonel.

13 "'Sakurakai' or the 'Cherry Blossom Society'
14 was not a secret society, had no regulations and no
15 fees were charged. The society had no connection with
16 the Kwantung Army or its officers.

17 "Discussions were not held relative to the
18 Manchurian Problem nor did the society have any con-
19 nection with the Manchurian Incident.

20 "10. I did not form any research group on
21 Manchu-Mongolia issues nor did I join or back incognito
22 any such group. I have never even heard of the
23 existence of such a group.

24 "11. In March 1931, I participated in the
25 so-called March Incident plotted by Doctor OKAWA,

1 Shumei, with the aim to organize a cabinet headed by
2 General UGAKI, Kazushige, for the cause of national
3 reform, but the plan was not realized because of
4 the General's disapproval.

5 "The incident was not linked with the Man-
6 churian Incident.

1 "12. I thought up the so-called October
2 Incident in October 1931 to bring about a cabinet
3 headed by Lieutenant General ARAKI for the purpose
4 of national reform and urged him to accept. But,
5 on the contrary, he severely reprimanded me and at
6 the order of War Minister MINAMI I was arrested by
7 the Military Police. After 25 days heavy confinement
8 I was relegated to the position of a regimental officer
9 of the Hineji Regiment. This incident had no connec-
10 tion whatsoever with the Manchurian Incident. It was
11 first thought out in the course of a conversation
12 with Captain CHO, Isamu in the beginning of October
13 of the same year, after he returned to Tokyo from
14 Peking. It never materialized. No civilians joined
15 the October Incident. Mr. KOISO, Kuniaki was not
16 related in any way to this incident.

17 "13. I have never had a chance to talk
18 with Mr. TANAKA, Ryukichi concerning the Manchurian
19 Incident.

20 "In August 1934 I was the commander of the
21 heavy field artillery regiment at Michima City. I
22 knew nothing of the meeting sponsored by SUZUKI,
23 Takashi at the Akebonoso restaurant. I have never
24 been there, nor do I know anything of its whereabouts.
25

"14. In April 1931 as chief of the Russian

1 Section of the Second Department of the General
2 Staff at the meeting for 'Estimation of Situation'
3 I advanced the following opinion, to wit: That Army
4 General Headquarters should recommend that the govern-
5 ment take a firm attitude toward settling the hun-
6 dreds of pending questions in Manchuria. Other than
7 this, I had nothing to do with the Manchurian Incident
8 or the founding of Manchukuo.

9 "15. At the time of the Marco-Polo Bridge
10 Incident of July 1937, I was living in Tokyo as a
11 reserve officer on inactive duty and had nothing to
12 do with the incident.

13 "16. While I was at the front, pursuant to
14 the order of Commanding General of the Army YANAGAWA,
15 at Wuhu I fired at ships fleeing from Nanking which
16 were carrying retreating Chinese soldiers. Unfortu-
17 nately, on that occasion the British Gun Boat 'Lady
18 Bird,' which was among the Chinese ships, was struck
19 and an incident was created. But the fact that the
20 shooting was by mistake due to the dense fog which
21 made me take it for a Chinese ship was brought to
22 light and I was set free from any responsibility.

23 "17. I have had nothing to do with the
24 'Panay Incident.'

25 "18. Neither I nor the forces under my

command have ever been at Nanking, Hankow or Canton. I have neither ill-treated POW's, nor committed inhuman acts against any persons. Neither have I permitted others under my authority to do such acts. I have never been in a position wherein I could have performed such acts.

"19. After I left active service, I founded in October 1936, with a view to national reform, the Great Japan Youth Party of which no soldier on active duty nor any distinguished personages were members.

"The party was supported by 1 yen per capita entrance fee and 1 yen per capita annual membership fee paid in by a little less than 20,000 members. It was never subsidized by the army or from any other quarter. It did not aim at aggressive war.

"20. After the dissolution of the said party in October 1940, I established the Great Japan Loyalty Society (Dai-Nippon Sekisei-kai), consisting of some of the members of the former. No soldiers on active duty nor any distinguished personages were among its members. This society was maintained by about 5,000 members' entrance fees at 2 yen per capita and an annual membership fee of 1 yen per capita and was not subsidized by the army or from any

1 other quarter. This society did not aim at aggressive
2 sive war. It was dissolved in September 1944.

3 "21. 'Taiyo Dai-Nippon' was the official
4 publication of the Great Japan Youth Party and then
5 of the Great Japan Loyalty Society after the former's
6 dissolution. Its circulation was limited to its
7 members.

8 "22. In the fall of 1940, I was appointed
9 a director of the Imperial Rule Assistance Association
10 (IRAA), formed by KONOYE, Fumimaro, from which I re-
11 signed in February 1941. The said association's ob-
12 ject was the practice of the 'Way of the Subject.'
13 It was not a body which was formed with aggressive
14 war as its aim nor did it work toward such an end.

15 "23. In September 1944, I was appointed
16 headquarters director of the Imperial Rule Assistance
17 Adult Association which was a part of the IRAA, but
18 I resigned in February 1945. After joining this
19 association my only work was the barley crop in-
20 crease campaign. The association was not a body which
21 was formed with aggressive war as its aim nor did it
22 work toward such an end."

23 I should like to ask one additional question.

24 Q Is General YANAGAWA, Heisuke still living?

25 A No, he is dead.

1 MR. HAYASHI: You may cross-examine.

2 (Whereupon, Mr. ITO assumed the
3 lectern.)

4 THE PRESIDENT: On behalf of whom?

5 MR. ITO: On behalf of MATSUI, Iwane.

6 CROSS-EXAMINATION

7 BY MR. ITO:

8 Q I should like to ask you a question concern-
9 ing paragraph 8 of your affidavit.

10 According to exhibit 733 it is stated that in
11 1929 MATSUI attended a meeting of Japanese military
12 attaches in Berlin which you attended. Did you attend
13 such a meeting?

14 A Yes, I did.

15 Q At that meeting did you or MATSUI make any
16 plans, decisions against the U. S. S. R.?

17 A No decisions were made at that conference.

18 Q What was the object of that meeting?

19 A It was in April. The meeting was held in
20 April, 1929. The Military Attache to the Embassy in
21 Berlin sent an invitation to the military attaches
22 in Europe saying that since Lieutenant General MATSUI,
23 the former head of the Second Department of the General
24 Staff Department, was coming to Europe, it would be a
25 good idea to have a discussion meeting at Berlin. I

1 went to Berlin on that invitation. On the morning
2 of the following day the discussion meeting was held,
3 the friendly meeting was held. Lieutenant General
4 MATSUI talked to us on the situation in the home
5 island, while we talked to him about the situation in
6 the countries in which we were stationed. That is
7 all that transpired.

8 Q Then no particular measures were taken in
9 regard to any plans against the U. S. S. R. or of any
10 defense against the U. S. S. R.?

11 A That goes without saying.

12 THE INTERPRETER: I repeat the question of
13 the counsel:

14 Q Then nothing particular took place at that
15 meeting with regard to any war plans against the
16 U. S. S. R. or any conspiracy against the U. S. S. R.?

17 A That goes without saying.

18 Q Then no documents were made regarding the
19 decisions made at that meeting against Soviet Russia;
20 am I right?

21 A No, of course not.

22 THE PRESIDENT: Mr. Tavenner.

23 MR. TAVENNER: If the Tribunal please, I
24 would like first to inquire whether there is any
25 further direct or cross-examination of this witness

1 before I begin.

2 THE PRESIDENT: Apparently, there is not.

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CROSS-EXAMINATION

1 BY MR. TAVENNER:

2 Q Colonel HASHIMOTO, what date was it in 1930
3 when you assumed your position with the General Staff
4 office in Tokyo?
5

6 A It was in May, 1930, that I arrived back in
7 Tokyo from Turkey.

8 Q When did you assume your office?

9 A In May.

10 Q How long did you hold your position con-
11 tinuously from that date?

12 A Until the end of November, 1931.

13 Q What was your exact official title?

14 A Chief of the Russian Section, General Staff
15 Department.

16 Q Briefly, what were your duties?

17 A To collect information regarding Russia.

18 Q Did that require you to be familiar with
19 conditions in Manchuria?
20

21 A As far as it concerned Russia, yes.

22 Q Were you acquainted with the workings and
23 operations of the East Asia Economic Research Insti-
24 tute?

25 A I knew nothing about it.

Q Possibly, if I identify it this way, you may

1 recall: It is the institute of which Dr. OKAWA was
2 the director. Does that refresh your recollection?

3 A Yes.

4 THE MONITOR: Strike out the "yes" just now.

5 A (Continuing) Of course, it was Dr. OKAWA's
6 institute.

7 Q You knew that Dr. OKAWA was the director of
8 that institute?

9 A Yes.

10 Q Were you well acquainted with Dr. OKAWA?

11 A Yes.

12 Q You held frequent meetings with him, did you
13 not?

14 A I met him about ten times at various
15 restaurants.

16 Q At what time?

17 A I became acquainted with him around the end
18 of 1930, I believe.

19 Q And, your meetings with him continued over
20 what period of time?

21 A Spasmodically.

22 Q Over an extended period of time?

23 A I met him at restaurants. I neither met him
24 for a long period of time, nor a short period of time.

25 Q But, you met him spasmodically over how long

1 a period of time?

2 A In short, I met him spasmodically between
3 the end of 1930, when I became acquainted with him,
4 to the end of November, 1931, when I was transferred
5 to Himeji.

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1 Q As long as you held your official position
2 as Chief of the Russian Section of the General Staff --
3 General War Office -- you continued to meet him.

4 THE MONITOR: "The end of 1930" should be
5 "the end of May, 1930."

6 THE PRESIDENT: You do not mean "General War
7 Office."

8 MR. TAVENNER: No, sir, I want to correct it
9 now. I would like to correct it to General Staff Office
10 as I first started to state it.

11 A I was Chief of the Russian Section before I
12 became acquainted with OKAWA.

13 Q But, you met with him off and on while you
14 held that position; did you not?

15 A Yes, that is so.

16 Q Now, during that period of time was he en-
17 gaged in propaganda work throughout Japan?

18 A I do not know whether he was engaged in propa-
19 ganda work or not. I do know that he did make speeches
20 on several occasions.

21 Q On several occasions? Don't you know he made
22 hundreds of speeches throughout Japan over a period of
23 two years regarding the Manchurian situation?

24 A Since I have only heard his speech on one
25 occasion, I do not know how many hundreds of speeches

1 he may have made.

2 Q Was Doctor OKAWA at that time engaged in fo-
3 menting the people of Japan over the so-called Manchurian
4 question?

5 A I know nothing whatsoever about those things.

6 Q Well, you talked to Doctor OKAWA on political
7 subjects, didn't you?

8 A I have never talked with him on political
9 questions. I have only met with him in restaurants.

10 Q Well, is there any reason why you cannot speak
11 of politics in a restaurant?

12 A No.

13 Q Well, did you speak concerning politics with
14 Doctor OKAWA?

15 A I have never talked with him on any specific
16 political questions to speak of.

17 Q Well, you say "to speak of". That is a com-
18 parative term. Will you tell us to what extent you did
19 speak to him about politics?

20 A I have often talked with him on the question
21 of political corruption in Japan.

22 Q And you talked to him about fomenting a dis-
23 turbance in Tokyo, did you not?

24 A Yes, I did.

25 Q And you and he were engaged together in what

1 is known as "The March 15th Incident"; isn't that true?

2 A Did you say "The March 15th Incident"?

3 Q Yes.

4 A Do you not mean, rather, "The March Incident"?

5 Q Well, let us call it the March Incident.

6 A Yes, I did participate.

7 Q Was the accused KOISO also engaged in that

8 Incident with you and Doctor OKAWA?

9 A The then Major General KOISO was concerned
10 with this matter. That is to say, I gave OKAWA some
11 bombs and he, Major General KOISO, took away those bombs.

12 THE PRESIDENT: Continue after the recess, Mr.
13 Tavenner.

14 We will recess for fifteen minutes.

15 (Whereupon, at 1445, a recess was
16 taken until 1500, after which the proceed-
17 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Tavenner.

4 BY MR. TAVENNER (Continued):

5 Q Colonel HASHIMOTO, is it not a fact that
6 Doctor OKAWA advocated the principle of reformation
7 of the government in Japan in order to settle what he
8 called the Manchurian problem?

9 A OKAWA never told me anything of that kind.

10 Q Do you not as a fact know that that is the
11 doctrine he stood for and the doctrine which he preached?

12 A No.

13 Q Is it not true that as a result of Doctor
14 OKAWA's stirring up of the people that the dissatis-
15 faction arose to such an extent that the army fell in
16 line with Doctor OKAWA?

17 A I can hardly believe that OKAWA had such
18 actual power and ability.

19 Q Now, isn't it true that after the dissatis-
20 faction of the people became so great, after Doctor
21 OKAWA's propaganda missions, even the General Staff,
22 of which you were a member, that is, the Army General
23 Staff, began to send out lecturers?

24 A That is far from the facts, at least during my
25 period of office in the General Staff.

1 Q You refer in your affidavit to the fact that
2 you made certain suggestions about settling the problem
3 in Manchuria. What were those suggestions?

4 A I made these suggestions at the occasion of
5 the conference on the estimate of the situation.

6 Q What was that?

7 A April, 1931.

8 Q What were the suggestions?

9 A At the time in Manchuria repeated incidents
10 were breaking out in which there were threats to
11 Japanese lives and property. The Japanese residents
12 right to live and to engage in business was threatened
13 and our railway rights were violated. The Japanese
14 Foreign Office only protested once against all these
15 incidents and took the attitude of trying to settle
16 these incidents on the spot, so that finally these in-
17 cidents mounted up to total three hundred several tens.
18 Thereupon I advocated that it was the duty of the
19 General Staff to strongly urge the government to take
20 a firm line towards the central government of China and
21 to carry out the negotiations with a very firm attitude.

22 Q So you were alert to what you considered to
23 be the problems in Manchuria and you were recommending
24 definite and positive action, were you not?

25 A I said that positive action must be taken in

1 some kind of noise. But two or three days later General
2 UGAKI said that he had no such desire, that he was
3 against the whole thing, and thereupon this whole plan
4 fell flat.

5 Q Now, it was the purpose, was it not, to stir
6 up this mass demonstration in order that martial law
7 would be declared and the army be put in control of
8 the government?

9 A As I had nothing to do with the plans after
10 I gave the bombs to Doctor OKAWA, I know nothing about
11 the content of the plans other than what I have stated.

12 Q Had you not gone to Doctor OKAWA yourself and
13 advised him that the upper class of the army was burn-
14 ing with indignation at the Diet and that the Diet should
15 be crushed?

16 A No, I said no such thing. All OKAWA told me
17 was, "UGAKI seems willing to go on with the thing.
18 Therefore give me the bombs."

19 Q In other words, you are taking the position
20 that you meekly followed the dictates of Doctor OKAWA?
21 Is that your contention?
22

23 A No, the simple matter is that OKAWA thought
24 up this plan and I agreed to the plan, and I gave him
25 the bombs in accordance with that agreement; but after
having given him those bombs I had nothing further to

1 do with the plan, and therefore I don't know anything
2 more than that, and I don't think that the plan ever
3 involved such a big thing as having the army called
4 out.

5 Q Was Lieutenant General NINOMIYA consulted
6 about the matter?

7 A I believe that General NINOMIYA did know about
8 the plan.

9 Q What was his official position?

10 A Vice Chief of the General Staff.

11 Q Wasn't Major General TATEKAWA consulted about
12 these matters and was he not a party to this scheme?

13 A I don't know whether Major General TATEKAWA
14 was actually a party to this scheme. However, Doctor
15 OKAWA asked me for the paper bombs. I had very great
16 difficulty in finding these bombs and so I consulted
17 with Major General TATEKAWA about this problem, where-
18 upon General TATEKAWA said, "Well, then, I will give
19 you a letter of introduction to the Commandant of the
20 infantry school, and thereupon I went to the infantry
21 school with this letter of introduction and obtained
22 the bombs. That is the extent of Major General TATEKAWA's
23 participation in this plan. That is what I said.

24 Q What position did Major General TATEKAWA have in
25 the army -- in the government?

1 A Chief of the First Department, General Staff
2 Department.

3 Q What did the First Department deal with?

4 A Operations.

5 Q Now, wasn't Major General NAGATA also in-
6 volved?

7 A No.

8 Q So you say this was a very small affair, but
9 do you not agree that the very top notch ranking offi-
10 cers of the Japanese army were involved in it?

11 A Of course the problem is the question of just
12 how far would be meant by the term "involved"; but I
13 don't think you can say it went as far as that the
14 upper crust of the army was involved.

15 For instance, of course then the bombs were
16 taken away from me by a certain officer and another
17 one wrote me a letter of introduction when I had trouble
18 in obtaining the bombs, but that is about as far as the
19 matter went, and I don't think you can say they were
20 connected with the incident.

21 Q Who was this certain officer who took away the
22 bombs?

23 A Are you asking who I obtained the bombs from?

24 Q You just mentioned that a certain officer took
25 the bombs away. To whom did you refer?

1 A General KOISO took the bombs which I had given
2 to OKAWA.

3 Q That is the accused General KOISO?

4 A Yes.

5 Q What official position did he have at that
6 time?

7 A Chief of the Military Affairs Bureau.

8 Q Are you familiar with the testimony of Doctor
9 OKAWA at his trial in 1934 regarding the part Lieutenant
10 General KOISO played in this affair?

11 A Could you quote from the testimony?

12 Q "This Lieutenant General KOISO, taking charge
13 of everything, told me that since there would be the
14 danger of being discovered if too many fussed about it,
15 we should pretend to have suspended it on the surface,
16 and that I should represent the civilians and that he
17 would represent the army."

18 Do you recall that?

19 A No, I do not, and I do not believe that those
20 were the facts. I don't believe that such things oc-
21 curred.

22 Q Doctor OKAWA also said, quoting from page
23 15,583 of the transcript, "Our idea was to set up a
24 new political power and form a cabinet centering around
25 the army."

1 Did you hear him testify to that fact in
2 court?

3 A No.

4 THE PRESIDENT: Were you present at OKAWA's
5 trial?

6 THE INTERPRETER: Before the witness answered:
7 "To set up UGAKI as Prime Minister."

8 THE WITNESS: No, I was not present at such a
9 trial.

10 Q Now, who was the originator of the October
11 Incident which occurred just a short time after the
12 Manchurian Incident?

13 A Myself.

14 Q Did Doctor OKAWA assist you?

15 A No.

16 Q You state that when Doctor OKAWA testified in
17 his trial in 1934 that he participated in it, he did
18 not?

19 A He did not participate. In the March Incident
20 OKAWA and I were co-conspirators. However, I began to
21 feel that if civilians were let in on plots such as
22 these, matters were always apt to leak out somewhere
23 or another and that it would become very difficult to
24 carry out such a plot, and therefore we came to the
25 decision not to let any civilians at all in on our plans.

1 In the March Incident OKAWA and I were out together.

2 THE MONITOR: Strike out "co-conspirators."

3 MR. TAVENNER: Will the Marshal hand to the
4 witness exhibit 2188?

5 ("Thereupon, a document was handed
6 to the witness.")

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1 Q Before I ask you questions about that
2 exhibit, I would like to ask you what official
3 positions you held with the Sakura Kai Society?

4 A The Sakura Kai had no chairman, and the
5 leading members were called sponsors. However, the
6 fact of the matter was that I practically was run-
7 ning the whole show.

8 Q Well, how long did you run the show; from
9 what date to what date?

10 A It was in October -- around October of
11 1930 that the Sakura Kai commenced its researches.
12 Around that time this organization had no name --
13 was not called the Sakura Kai, and it was in April
14 of 1931 that the name Sakura Kai was given.

15 Q Well, just answer me, please. How long did
16 you operate or control the business of that society?

17 A From around October, 1930 to the end of
18 November, 1931.

19 Q What other societies were you a member of
20 at that time -- during that period?

21 A I belonged to no other society.

22 Q What was the next society that you organ-
23 ized after November, 1931?

24 A That was not in 1931. My next society was
25 formed not in 1931 but in 1936, a society which I

1 formed after I had been relegated to the reserves.
2 I called this society the Great Japan Youth Party.

3 Q Did you belong to any societies between
4 November, 1931 and 1936?

5 A No, absolutely none.

6 Q What was the date in 1936 when you organ-
7 ized this society?

8 A 17th of October.

9 Q Were you the head of it?

10 A Yes, as you say.

11 Q How long were you at the head of that
12 organization?

13 A Until October, 1940.

14 Q Did you hold positions in any other so-
15 cieties during that period of time, between 1936
16 and '40?

17 A In October, 1940 this Great Japan Youth
18 Society was -- Youth Party was reorganized as the
19 Great Japan Loyalty Society, and I was president
20 of this society until September, 1944.

21 Q Now, the exhibit that I asked the marshal
22 to hand you is an interrogation or excerpts from
23 interrogations which were introduced in evidence.
24 There will be pointed out to you in the Japanese
25 text the portion that I desire to call to your

1 attention. In the English text it appears near the
2 bottom of the first page, and the question is:
3 "You belong to the Dai Nippon Seki Sei Kai?" I
4 would like to ask you whether or not the questions
5 appearing immediately following that and the answers
6 were made, that is the answers attributed to you,
7 by you. You may examine down to the question:
8 "Did you have any part in the formation of the Dai
9 Nippon Seinen To?" which will be pointed out to
10 you.

11 (Whereupon, the witness was
12 shown a place in the document previously
13 handed to him.)

14 Q (Continuing) Now, will you state whether
15 or not you made the answers attributed to you there.

16 A There is one very big mistake -- big error
17 in this text. This is on page 2 -- page 4 of the
18 Japanese text. The question is: "The way it
19 stands, you admit plotting" and so forth, and so
20 forth, but the relevant part is, "...but you deny
21 any knowledge or complicity in the 2/26 affair?"
22 My reply is said to be, "Yes, that is correct."
23 What I meant there was that I had nothing to do,
24 no knowledge or complicity in the 2/26 affair. The
25 question -- the first part of the question, however,

1 reads: "The way it stands, you admit plotting with
2 General TATEKAWA, General KOISO, General NINOMIYA,
3 General SUGIYAMA and Dr. OKAWA to bring about the
4 March Incident and to bring about the October inci-
5 dent"; and when my answer is taken in conjunc-
6 tion with the question as a whole, it would seem
7 as if I am accusing General KOISO, TATEKAWA, NINO-
8 MIYA and SUGIYAMA of plotting with me in this Oc-
9 tober incident, but I had no such intention. The
10 reason why this is so is that you have just ex-
11 tracted this question by itself. But, if you will
12 read the pages before this question -- the questions
13 before this question, you will find that a question
14 is asked, who was connected with the October inci-
15 dent? And then, immediately this question follows --
16 correction: with the March and October incidents --
17 and, therefore, it follows that Generals TATEKAWA,
18 KOISO, NINOMIYA, SUGIYAMA and Dr. OKAWA had nothing
19 to do with the October incident. The October inci-
20 dent involves myself and myself alone.

21 Q Well, now, subject to that explanation by
22 you, are the questions as attributed to you cor-
23 rect? I meant to say, are the answers attributed
24 to you correct?

25 A They are correct.

1 MR. TAVENNER: Now, if the Tribunal please,
2 I would like to read those questions and answers
3 although they already appear in the transcript.

4 THE PRESIDENT: Do not read them again.

5 MR. TAVENNER: Then, if I may be permitted,
6 I would like to describe the place in the record a
7 little more adequately so that the Tribunal will
8 have no difficulty locating them.

9 THE PRESIDENT: We prevented Colonel War-
10 ren from reading a part of the transcript this
11 morning. We must be fair.

12 MR. TAVENNER: These questions and answers
13 begin with the fourth line from the top of page
14 15,676 of the transcript and extend to the line
15 which is the 7th from the bottom of the following
16 page -- to and including the 7th line, if you ac-
17 cept the correction.

18 BY MR. TAVENNER (Continued):
19

20 Q Now, the answers which you have just told
21 me are correct are answers made by you and are
22 truthful, are they not?

23 A They are correct.

24 Q I will now call your attention to another
25 excerpt from the same document which will be pointed
out to you with reference to the shelling of the

1 "Ladybird." In the English text the question
2 begins, "Under whose orders did you act"
3 Will you examine that question and answer and state
4 whether or not the answer attributed to you is true
5 and correct.

6 A Are you referring to only one question and
7 answer, in other words, to the answer to the ques-
8 tion, "Under whose orders did you act when you shelled
9 the Ladybird?"?

10 Q Yes, that is the question.

11 A The phraseology may be somewhat different.
12 However, there is no mistake in the meaning.

13 Q Then do you mean that the meaning as con-
14 tained in that answer is correctly descriptive of
15 the matter?

16 A There is no mistake. However, it is on
17 the understanding that you are referring simply to
18 this one question and answer -- "Under whose orders
19 did you act when you shelled the Ladybird?"

20 Q I am referring to that question and the
21 answer to it.

22 A Yes.

23 Q Is there anything that you desire to add
24 to complete the information regarding your answer
25 to that question?

A May 1?

1 Q I understood you to state that the trans-
2 lation may not have been a completely accurate
3 translation. I am merely giving you the opportunity
4 to make it correct if there is any error in any re-
5 spect.

6 A Thank you. In the order itself it is
7 stated, "Nanking being in a state of siege ..."
8 This phrase is wrong. This should be corrected as
9 follows: "Our troops are now attacking Nanking."
10 That is all.

11 MR. TAVENNER: The reference, if the Tri-
12 bunal please, to that excerpt, is on page 15,678
13 of the transcript beginning four lines from the bot-
14 tom and extending over four lines on the top of the
15 following page.

16 Q I desire also to point out questions and
17 answers appearing at page 15,675 of the transcript
18 beginning with the words "Do you know anything about
19 the Greater East Asia Co-Prosperity Sphere?" and
20 extending down to the question, "You belong to the
21 Dai Nippon Seki Sei Kai?"
22

23 (Whereupon, the witness was
24 shown a place in the document before him.)

25 Q (Continuing) The questions and answers in

the Japanese text are being presented to you.

1 A Thank you. I have gotten the place.

2 Q Did you make the answers attributed to you
3 there: The last question, "You wanted to get the
4 British out of this sphere?"; answer, "Yes."?

5 A In reference to that question and answer, I
6 did not know exactly what the prosecutor meant when
7 he said, "You wanted to get the British out of this
8 sphere?"; but, since I didn't want to take the bother
9 of asking him, I just got impatient and replied, "Yes."
10

11 Q Well, let me ask you now: Did you want to
12 get the British out of that sphere, that is, out of
13 India, the Philippines, China, Burma and Asia?

14 A I wished to get the British out of politi-
15 cal domination of those areas.

16 Q By political domination you mean to expel
17 them by force, don't you?

18 A There may be occasions when force might be
19 necessary. However, I was hoping that it would
20 not -- such an occasion would not arise. I felt
21 it would be fortunate if they would get out without
22 the use of force, but I did not -- I was not think-
23 ing at the time of Japan taking any immediate
24 action -- immediately declaring war in order to get
25 the British out by force.

1 Q You did advocate it a little later, though,
did you not?

2 A The point of my argument in my writings
3 was that the China Incident was still unsettled and
4 the reason why the China Incident was still un-
5 settled was that Britain was backing China up; and,
6 therefore, unless accounts were settled with Britain,
7 the China Incident would never be settled.

8 Q And you advocated an attack upon the Brit-
9 ish and driving them out of Asia completely, did
10 you not, and you preached that doctrine throughout
11 Japan by publications which were the official pub-
12 lications of your organizations, did you not?

13 A I preached that doctrine to the members
14 of my society.

15 Q And the members of your societies aggre-
16 gated twenty thousand people?

17 A Yes.

18 Q And then they were republished in booklet
19 form and distributed, were they not?

20 A The books published by myself consist of
21 articles which were originally published in the
22 Taiyo Dai Nippon, the official bulletin of this
23 society.

24 Q So you republished to the general public
25

1 these articles which you say received only limited
2 circulation among your twenty thousand members when
3 it was first written.

4 THE PRESIDENT: We will adjourn now until
5 half-past nine tomorrow morning.

6 (Whereupon, at 1600, an adjourn-
7 ment was taken until Friday, 19 September,
8 1947, at 0930.)

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